



Cochise County Board of Supervisors

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RICHARD R. SEARLE
Chairman
District 3

PATRICK G. CALL
Vice-Chairman
District 1

ANN ENGLISH
Supervisor
District 2

JAMES E. VLAHOVICH
County Administrator

EDWARD T. GILLIGAN
Deputy County Administrator

ARLETHE G. RIOS
Clerk of the Board

AGENDA FOR REGULAR BOARD MEETING

Tuesday, November 1, 2016 at 10:00 AM

BOARD OF SUPERVISORS HEARING ROOM
1415 MELODY LANE, BUILDING G, BISBEE, AZ 85603

ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION

PLEDGE OF ALLEGIANCE

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING

ROLL CALL

Members of the Cochise County Board of Supervisors will attend either in person or by telephone, video or internet conferencing.

Note that some attachments may be updated after the agenda is published. This means that some presentation materials displayed at the Board meeting may differ slightly from the attached version.

CONSENT

Board of Supervisors

1. Approve re-issuing Check #079997 to John and Maria Mariscal for parcel 409-01-045 dated December 5, 2014 due to the check becoming void after a year from the date of issue.
2. Approve the Minutes of the regular meeting of the Board of Supervisors of October 11, 2016.

Community Development

3. Approve Professional Service Agreement No. PSA 17-08-P&Z-04 to Gregory Johnson for Hearing Officer Services for the Community Development Department, Planning, Zoning and Building Safety Division in the not to exceed annual amount of \$5,000 for a one year period beginning on October 25, 2016 with a renewal option of four additional one year periods.
4. Approve an extension of the Linda Vista Subdivision Assurance Agreement with Pioneer Title Agency, Inc. as trustee for Phase 4 subdivision improvements to March 22, 2020.

5. Approve the appointments of the following persons to the Building Code Advisory and Appeals Board: appoint Ed Shiver to replace Bill Miller as the Fire Safety board member and fill a four-year term that will expire on September 25, 2017; reappoint Mike Rutherford as a General Contractor board member to a second three-year term that will expire on September 25, 2019; and reappoint Kim Mulhern as Member-at-Large to a second three-year term that will expire on September 25, 2019.

County Attorney

6. Authorize the Arizona Attorney General's Office to represent Cochise County in all tax appeal litigation of centrally assessed property for tax years 2017 and 2018, including, but not be limited to cases filed by SolarCity Corp.

County Sheriff

7. Approve grant agreement 2017-043 with the Arizona Attorney General's Office in the amount of \$15,093 for the continuation of funding assistance for personnel who perform Victim Rights services for the Sheriff's Office for the period of July 1, 2016 to June 30, 2017.

Court Administration

8. Approve a grant from First Things First to support National Adoption Day in Cochise County in the amount of \$2,000.
9. Approve a Proclamation declaring November 18, 2016 National Adoption Day in Cochise County.

Elections & Special Districts

10. Approve the cancellation of uncontested board elections for Special District governing boards listed on Appendix A-C, and appoint the candidates who filed for the Special District governing board as indicated, or declare seats vacant if an insufficient number of candidates – or no candidates – filed to run to fill the vacant seats, and cancel the election and appoint Tom Schelling as administrator for Bowie and Babocomari Fire Districts, as indicated on Appendix A; such appointments shall be deemed elected and have the same powers and duties in accordance with the law.

Finance

11. Approve demands and budget amendments for operating transfers.

Health & Social Services

12. Approve a Memorandum of Understanding (master template) between Cochise County and district schools in support of immunization outreach effective for one year, with a one year automatic renewal unless otherwise terminated.

ACTION

Community Development

13. Adopt Resolution 16-45 authorizing the addition of 0.5 miles of Skyline Road, from Calle Tortuga to Chaparral Place to the County Road Maintenance System.

Court Administration

14. Approve a full-time self service specialist position for the Law Library/Self Service Center in the amount of \$23,061.
15. Approve a grant from the Legacy Foundation for the A CASA For Every Child program in the amount of \$2,000 effective September 16, 2016 through June 30, 2017.

CALL TO THE PUBLIC

This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda.

REPORT BY JAMES E. VLAHOVICH COUNTY ADMINISTRATOR -- RECENT AND PENDING COUNTY MATTERS

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Patrick Call

Report by District 2 Supervisor, Ann English

Report by District 3 Supervisor, Richard Searle

Pursuant to the Americans with Disabilities Act (ADA), Cochise County does not, by reason of a disability, exclude from participation in or deny benefits or services, programs or activities or discriminate against any qualified person with a disability. Inquiries regarding compliance with ADA provisions, accessibility or accommodations can be directed to Chris Mullinax, Safety/Loss Control Analyst at (520) 432-9720, FAX (520) 432-9716, TDD (520) 432-8360, 1415 Melody Lane, Building F, Bisbee, Arizona 85603.

Cochise County Board of Supervisors
1415 Melody Lane, Building G Bisbee, Arizona 85603
520-432-9200 520-432-5016 fax board@cochise.az.gov

Board of Supervisors

Regular Board of Supervisors Meeting

Meeting Date: 11/01/2016

Re issue demand

Submitted By: Arlethe Rios, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation Recommendation: Approve

Document Signatures: BOS Signature NOT Required # of ORIGINALS Submitted for Signature: 0

NAME of PRESENTER: n/a TITLE of PRESENTER: n/a

Mandated Function?: Not Mandated Source of Mandate or Basis for Support?:

Docket Number (If applicable):

Information

Agenda Item Text:

Approve re-issuing Check #079997 to John and Maria Mariscal for parcel 409-01-045 dated December 5, 2014 due to the check becoming void after a year from the date of issue.

Background:

The County Treasurer can not disburse funds for a check that becomes void without Board approval.

Department's Next Steps (if approved):

Re-issue check.

Impact of NOT Approving/Alternatives:

Mr. & Mrs. Mariscal will not get the funds originally issued to them.

To BOS Staff: Document Disposition/Follow-Up:

Notify the Treasurer of approval.

Budget Information

Information about available funds

Budgeted: ☐Funds Available: ☐

Amount Available:

Unbudgeted: ☐Funds NOT Available: ☐Amendment: ☐

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

No file(s) attached.

Board of Supervisors

Regular Board of Supervisors Meeting

Meeting Date: 11/01/2016

Minutes

Submitted By: Rebecca Reynolds, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation

Document Signatures:

Recommendation:

of ORIGINALS

Submitted for Signature:

NAME n/a

TITLE n/a

of PRESENTER:

of PRESENTER:

Mandated Function?:

Source of Mandate
or Basis for Support?:

Information

Agenda Item Text:

Approve the Minutes of the regular meeting of the Board of Supervisors of October 11, 2016.

Background:

Minutes

Department's Next Steps (if approved):

Signed minutes routed for processing and posted on the internet.

Impact of NOT Approving/Alternatives:

n/a

To BOS Staff: Document Disposition/Follow-Up:

Scan to OnBase and File.

Budget Information

*Information about available funds*Budgeted: ☐Funds Available: ☐

Amount Available:

Unbudgeted: ☐Funds NOT Available: ☐Amendment: ☐

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

MinutesWarrants

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
Tuesday, October 11, 2016**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, October 11, 2016 at 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Richard R. Searle, Chairman; Patrick G. Call, Vice-Chairman; Ann English, Member
Staff James E. Vlahovich, County Administrator; Edward T. Gilligan, Deputy County
Present: Administrator; Britt W. Hanson, Chief Civil Deputy County Attorney; Arlethe G. Rios, Clerk
of the Board; Elda Orduno, Civil Deputy County Attorney

Chairman Searle called the meeting to order at 10:20 a.m.

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PLEDGE OF ALLEGIANCE

**THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT
THE MEETING**

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of September 27, 2016.
2. Approve a letter appointing a member and alternate of the Cochise County Board of Supervisors to the Sierra Vista Metropolitan Planning Organization pursuant to the Joint Project Agreement between the State of Arizona and the City of Sierra Vista as specified by Governor Janice K. Brewer.
3. Ratify the signature of Chairman Richard Searle to accept additional funding in the amount of \$15,325 for the Fiscal Year 2016 Community Development Block Grant for the Children's Haven Project.
4. Approve acceptance of Quit Claim Deed from Samuel A. Burkes, III & Michael Paul Burkes (Grantors) to Cochise County for real property described as "Lot 402, Willow Lakes Unit I, according to Book 7, Maps and Plats, page 12, records of Cochise County, Arizona as recommended by the Highway & Floodplain Division and the County Attorney's Office.

Community Development

5. Adopt Resolution 16-43 to rescind the weight restriction on certain reconstructed bridges as described therein.

6. Adopt Zoning Ordinance 16-05 approving Docket Z-16-03, amending the zoning district designation for parcels 101-36-045, -046, -048A, &-049 to RU-4 from R-36, pursuant to the request of Mr. Daniel Oldfield & Mrs. Jo Oldfield.

County Schools

7. Approve Intergovernmental Agreement (IGA) SABG-GR-17-070116-02 between the Arizona State Office of Youth, Faith, & Family and the Cochise County School Superintendent's Office for substance abuse prevention for the period of July 1, 2016 through January 31, 2017 in the amount of \$30,000.

County Sheriff

8. Accept a donation in the amount of \$1,100 from the Howard G. Buffet Foundation to the Cochise County Sheriff's Office for training equipment from the Career Technology Education Student Enhancement Program.

Finance

9. Approve demands and budget amendments for operating transfers. Warrants Nos. 12283-12374, 12378-12500, 12511-12586 were issued in the amount of \$1,081,571.66.

Pursuant to A.R.S. §11-217(C), the published minutes shall include all demands and warrants approved by the Board in excess of one thousand dollars except that multiple demands and warrants from a single supplier or individual under one thousand dollars whose cumulative total exceeds one thousand dollars in a single reporting period shall also be published. The voided warrants are listed below:

<u>Fund</u>	<u>Vendor</u>	<u>Amount</u>
147	Cochise County Adult Probation	\$7,000.00

Issued warrants are listed as an attachment at the end of the minutes.

Health & Social Services

10. Approve ADHS16-109191 Amendment 2, Healthy People Healthy Communities, between the Arizona Department of Health Services and Cochise Health & Social Services, for the period of 07/01/2016 to 6/30/2017 in the amount of \$667,862, which adds \$40,686 in funding for three additional quarters of the accreditation component.

Workforce Development

11. Approve the appointment of Mr. Jason Bowling to the Local Workforce Investment Board to fill an unexpired term, effective immediately and through June 30, 2018.

Vice-Chairman Call moved to approve items 1-11 on the consent agenda. Supervisor English seconded the motion and it carried unanimously.

PUBLIC HEARINGS

Community Development

12. Adopt Zoning Ordinance 16-04 approving Docket Z-16-02, amending the zoning district designation for parcel 105-28-004A to RU-2 from RU-4, pursuant to the request of Mr. Scott Kerr.

Mr. Peter Gardner, Planner 1, Planning & Zoning Division, presented this item using a PowerPoint presentation. Mr. Gardner gave the background:

- The Applicant is requesting rezoning from RU-4 (Rural; one dwelling per four acres) to RU-2 (Rural; one dwelling per two acres) on a 10.11 acre parcel in the Parker Lake area.
- The parcel, 105-28-004A, abuts the Parker Lakeview Estates subdivision. This subdivision is zoned RU-4, but as originally platted, the average lot size is less than 0.5 acres. The lots are legal non-conforming, but are at a much higher density than RU-4 or RU-2.
- The Applicant is Scott Kerr.
- On September 14, 2016, the Planning & Zoning Commission voted unanimously to forward the docket with a recommendation of Conditional Approval.

He said these types of dockets can usually go on the consent agenda, but since the department had received several letters of public dissent the docket had to be presented as a public hearing. He showed the map of the parcel and pictures of the surrounding area.

Mr. Gardner went over the factors in favor and those against:

Factors in Favor of Approval

1. Allowing the request would be in keeping with the character of the existing development in the area and create a buffer between the small subdivision lots and larger RU-4 zoned parcels;
2. The Comprehensive Plan policies prescribe a low density of residential development in this area to protect the current character of the neighborhood, and the request would facilitate such a density; and
3. Eight letters of support have been received.

Factors Against Approval

1. Without a conceptual split plan, Staff cannot guarantee that access issues, topographical issues, and appropriate site development standards will be met;
2. Three letter of opposition or concern have been received.

He said that there were conditions for approving the rezoning and listed them:

1. The Applicant shall provide the County with a signed Acceptance of Conditions and a Waiver of Claims form arising from ARS Section 12-1134 signed by the property owner of the subject property within thirty (30) days of Board of Supervisors approval of the rezoning;
2. It is the Applicants' responsibility to obtain any additional permits, or meet any additional conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations;
3. The Applicant shall work with the Highway Department to submit for Board of Supervisor acceptance and, if applicable, dedicate road easements to ensure access to the public, per the letter from Joaquin Solis dated September 1, 2016; and
4. The Applicant shall submit within 12 months a proposed split map identifying all proposed and existing property lines, all proposed and existing easements, and building envelopes.

He added that the conditions were there to protect the County, future residents, and current residents.

Chairman Searle asked how condition 4 would be enforced.

Mr. Gardner said that it would be enforced during the permitting phase of the process.

Chairman Searle asked the applicant if he wanted to speak.

Mr. Scott said that he did not have additional comments and agreed to all the conditions.

Vice-Chairman Call asked about the maintenance of the roads.

Mr. Hanson said that this issue was still being discussed with the applicant.

Chairman Searle opened the public hearing.

No one chose to speak and Chairman Searle closed the public hearing.

Supervisor English moved to adopt Zoning Ordinance 16-04 approving Docket Z-16-02, amending the zoning district designation for parcel 105-28-004A to RU-2 from RU-4, pursuant to the request of Mr. Scott Kerr. Vice-Chairman Call seconded the motion.

Chairman Searle called for the vote and it was approved 3-0.

ACTION

Board of Supervisors

13. Approve the over-the-counter sales of tax deed properties remaining unsold following the May 2016 online tax deed land auction as set forth in the attached Exhibit A, plus related administrative fees.

Ms. Rios presented this item. She said that there had been one bid received for five parcels for a total sale of \$3,737 (\$3,662 for the bid and \$75 for the administrative fee). She said that with this sale total year to date sales were at \$212,334.53 and there would be 40 parcels left.

Vice-Chairman Call moved to approve the over-the-counter sales of tax deed properties remaining unsold following the May 2016 online tax deed land auction as set forth in the attached Exhibit A, plus related administrative fees. Supervisor English seconded the motion.

Chairman Searle called for the vote and it was approved 3-0.

County Assessor

14. Approve a withdrawal from the General Fund contingency fund line in the amount of \$29,083.49 for the Assessor's Office to complete the migration from the Oracle to MSSql software and purchase a new server.

Chairman Searle moved this item before the public hearing at the request of Mr. Phil Leiendecker, County Assessor.

Mr. Leiendecker explained the request. He stated that in order to convert from the current system to the new system this purchase had to be made along with the purchase of a new server. He noted that the annual maintenance cost for the new software would be less than the current software.

Vice-Chairman Call asked Mr. Vlahovich about the funding.

Mr. Vlahovich said that there is usually \$200,000 set aside each year for InformationTechnology projects, but there was not enough money in this fiscal year's budget to address this project and added that staff does recommend approval of this item.

Supervisor English moved to approve a withdrawal from the General Fund contingency fund line in the amount of \$29,083.49 for the Assessor's Office to complete the migration from the Oracle to MSSql software and purchase a new server. Vice-Chairman Call seconded the motion.

Chairman Searle called for the vote and it was approved 3-0.

County Attorney

15. Accept grant funding from the Tohono O'odham Nation in the amount of \$17,924 for the Spillman Prosecutor software.

Mr. Brian McIntyre, County Attorney, presented this item. Mr. McIntyre gave the background and said that this would save the County money and simplify a time consuming process. He added that the request was to have the Board approve funding and noted that there was no County match for this grant.

Supervisor English said that the Board appreciated when departments looked for other funding to purchase equipment that would improve processes and did not impact the General Fund.

Vice-Chairman Call moved to accept grant funding from the Tohono O'odham Nation in the amount of \$17,924 for the Spillman Prosecutor software. Supervisor English seconded the motion.

Chairman Searle called for the vote and it was approved 3-0.

County Sheriff

16. Approve Intergovernmental Agreement (IGA) 2016-107 between the Arizona Department of Public Safety (DPS) and the Cochise County Sheriff's Office to hire five new deputies for the Border Strike Force Bureau effective August 30, 2016 to June 30, 2017 with automatic annual renewal options through June 30, 2021.

Chief Thad Smith, Sheriff's Office, presented this item. Chief Smith gave the background and said that there had been some mistakes on the previously presented IGA. He presented the new details of the IGA and explained that due to funding from a different DPS grant there would not be a County match required. He added that they would use a previously approved grant with DPS to cover the 25% cost not covered by this grant. He explained that an annual operational cost would have to be covered by the County totaling \$112,000. He noted that the new IGA had been modified to show that this agreement goes through June 30, 2026 and would also fund salary raises or modification for deputies assigned to the task force.

Supervisor English said that she did not think that the Board had been given a reason on why more deputies were needed. She added that her duty was to be fiscally responsible in all decisions made that impacted County costs and operations. She also stated that she did not mind supporting hiring additional deputies, if needed, but wanted the Sheriff's Office to commit to pay for salaries.

Chief Smith said that the Sheriff's Office was committed to paying for salaries, but the operating costs for the additional deputies were new and his office did not have funds to pay for that. He noted that a study done in 2006 supported the need for more deputies in the County and he believed that hiring more deputies was a step in the right direction.

Supervisor English said that she was still not sure there was a need, but asked where the new

deputies would be assigned. She noted that special units are not what the residents want; they want deputies on the road.

Chief Smith said that the new deputies would be on the road freeing up K9 units to address special needs. He added that the deputies would be assigned to one of the six geographical areas in the County.

Chairman Searle asked what the annual operational costs would be.

Chief Smith said that it would be an estimated \$112,000 annually.

Supervisor English asked if there were vehicles available for the new deputies.

Chief Smith said that there were vehicles available.

Mr. Vlahovich said that there were four vehicles available, but the additional vehicle would have to be requested through a decision package.

Vice-Chairman Call asked what the cost for five deputies would be over ten years for the County.

Chief Smith said that at the current rate it would be \$5,000,000, but with the IGA it would only cost the County \$1,100,000.

Supervisor English amended the motion to approve Intergovernmental Agreement (IGA) 2016-107 between the Arizona Department of Public Safety (DPS) and the Cochise County Sheriff's Office to hire five new deputies for the Border Strike Force Bureau effective August 30, 2016 to June 30, 2017 with automatic annual renewal options through June 30, 2026.

Vice-Chairman Call seconded the motion.

Vice-Chairman Call said he appreciated staff's effort to ensure all of the Board's questions were answered. He thanked Mr. Vlahovich for his concern over operational annual costs. He added that he did not think as many deputies were needed as Chief Smith had mentioned as the County's population had decreased, but was in support due to the savings of this agreement.

Supervisor English said that she took her fiscal responsibility very serious. She added that she had still not been presented with any statistics on why more deputies were needed due to crime or other public safety needs. She noted that even though this agreement provided more deputies for a lower cost, she did not consider it a savings because it was money that the County would not have spent in the first place.

Chairman Searle said that his district was always in need of more deputies due to the rural nature.

Chairman Searle called for the vote and it was approved 2-0-1 (English opposed).

Facilities

17. Approve an Agreement for the purchase and sale of real estate in Benson between Cochise County and FAS Benson LLC in the amount of \$12,500.

Mr. Jay Howe, Facilities Director, presented this item. Mr. Howe gave the background and said that the Benson Service Center needed additional parking. He thanked Chairman Searle for his help in acquiring the parcel needed for the additional parking area and said that he would get more information on the actual cost of the parking area in the near future.

Chairman Searle said that he would use funding from District 3 to help cover the cost of building the additional parking area.

Vice-Chairman Call moved to approve an Agreement for the purchase and sale of real estate in Benson between Cochise County and FAS Benson LLC in the amount of \$12,500. Supervisor English seconded the motion.

Chairman Searle called for the vote and it was approved 3-0.

Housing Authority

18. Adopt Resolution 16-44 dissolving the Quasi-Independent Housing Authority and reintegrating it as a department into the Cochise County government.

Ms. Anita Baca, Housing Director, presented the item. Ms. Baca gave the background and said due to auditing issues the County Attorney's Office had advised staff to dissolve the Housing Authority in order for its employees to be considered County employees. She added that she had polled the other counties on how they have housing set up and all other counties advised that it was better to have it be part of the County and noted that there were no benefits to have it be a separate entity. She also said that the Housing Commissioners had voted to dissolve and noted that the Board of Supervisors would become the Housing Board.

Supervisor English said that she was in favor of making processes easier and noted that public input was always encouraged by the Board.

Supervisor English moved to adopt Resolution 16-44 dissolving the Quasi-Independent Housing Authority and reintegrating it as a department into the Cochise County government. Vice-Chairman Call seconded the motion.

Chairman Searle called for the vote and it was approved 3-0.

CALL TO THE PUBLIC

Chairman Searle opened the call to the public.

Jack Cook addressed the Board on matters of personal concern.

No one else chose to speak and Chairman Searle closed the call to the public.

This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda.

REPORT BY JAMES E. VLAHOVICH COUNTY ADMINISTRATOR -- RECENT AND PENDING COUNTY MATTERS

Mr. Vlahovich thanked Ms. Rios and the Information Technology Department for their work on upgrading the audio equipment in the hearing room.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Patrick Call

Vice-Chairman Call said that he would be attending the Borderlands Tour, which would also be hosted in the Board Hearing Room on October 13; he added that he would also be attending the Martha McSally tour on October 19.

Report by District 2 Supervisor, Ann English

Supervisor English said that she would not be able to attend the Newman Path opening ceremony on October 15, but thanked staff for their work on the project.

Report by District 3 Supervisor, Richard Searle

Chairman Searle said he would be attending the Benson Economic Forum on October 18 and the Arizona Department of Water Resources meeting on October 25.

Chairman Searle adjourned the meeting at 11:28 a.m.

APPROVED:

Richard R. Searle, Chairman

ATTEST:

Arlenthe G. Rios, Clerk of the Board

Cochise Co. Demands 10.11.16

12143	09/22/2016	Air Evac EMS, Inc.	\$2,975.00	12220	09/22/2016	Senergy Petroleum LLC	\$11,452.89
12144	09/22/2016	Alex Espinosa's Bisbee Funeral Home	\$319.00	12221	09/22/2016	Sharp, Marshall	\$923.66
12145	09/22/2016	Amazon.com LLC	\$31.54	12222	09/22/2016	Sierra Vista Emergency Physicians	\$93.00
12146	09/22/2016	Amazon.com LLC	\$1,032.24	12223	09/22/2016	Sierra Vista NAPA	\$825.21
12147	09/22/2016	AZ Department of Corrections - Douglas	\$191.00	12224	09/22/2016	Southeastern AZ Contractors Assn (SACA)	\$500.00
12148	09/22/2016	AZ Department of Corrections - Douglas	\$940.00	12225	09/22/2016	Southwestern Eye Center, Ltd	\$103.63
12149	09/22/2016	AZ Department of Corrections - Douglas	\$760.00	12226	09/22/2016	Sparkletts	\$25.83
12150	09/22/2016	AZ Department of Corrections - Douglas	\$696.00	12227	09/22/2016	St. Patrick Church	\$900.00
12151	09/22/2016	AZ Department of Corrections - Douglas	\$360.87	12228	09/22/2016	Staples	\$2,023.21
12152	09/22/2016	AZ Department of Corrections - Douglas	\$91.55	12229	09/22/2016	Sulphur Springs Valley Electric Coop, Inc.	\$13,356.80
12153	09/22/2016	AZ Department of Corrections - Douglas	\$286.58	12230	09/22/2016	Supplemental Health Care	\$4,262.50
12154	09/22/2016	AZ Department of Corrections - Douglas	\$46.77	12231	09/22/2016	Technical Resource Management, Inc.	\$1,787.90
12155	09/22/2016	AZ Department of Corrections - Douglas	\$360.87	12232	09/22/2016	Thomson West	\$298.65
12156	09/22/2016	AZ Department of Corrections - Douglas	\$444.00	12233	09/22/2016	Tim's Wrecker & Road Service	\$295.00
12157	09/22/2016	AZ Department of Corrections - Douglas	\$2,826.34	12234	09/22/2016	UniFirst Corporation	\$1,838.14
12158	09/22/2016	AZ State Land Department	\$3,436.00	12235	09/22/2016	United Fire Equipment Co	\$625.89
12159	09/22/2016	AZ State Prison Complex - Fort Grant	\$273.75	12236	09/22/2016	UsEconomicResearch.com	\$5,000.00
12160	09/22/2016	AZ State Prison Complex - Fort Grant	\$1,229.98	12237	09/22/2016	Valley Telephone Cooperative, Inc.	\$195.62
12161	09/22/2016	AZ Supreme Court	\$3,839.77	12238	09/22/2016	Verizon Wireless	\$9,986.90
12162	09/22/2016	AZ Water Company	\$6,875.55	12239	09/22/2016	Waxie Sanitary Supply	\$1,410.68
12163	09/22/2016	Audio Editions	\$32.39	12240	09/22/2016	Western Emulsion, Inc	\$8,533.54
12164	09/22/2016	B&S Supply Co, Inc	\$1,587.88	12241	09/22/2016	Wick Communications	\$37.70
12165	09/22/2016	Backflow Supply	\$2,638.00	12242	09/22/2016	Willcox Auto Parts Inc.	\$907.72
12166	09/22/2016	Baker & Taylor, Inc.	\$1,764.83	12243	09/22/2016	Zumar Industries Inc	\$4,911.27
12167	09/22/2016	Banner-Univ Medical Ctr Tucson Campus LLC	\$2,317.18	12244	09/22/2016	Bowie, Stephen	\$100.00
12168	09/22/2016	Banning Creek Enterprises, LLC	\$7,392.00	12245	09/22/2016	Call, Pat	\$81.40
12169	09/22/2016	BI Incorporated	\$957.52	12246	09/22/2016	Cardona, Art	\$100.00
12170	09/22/2016	Bisbee, City of (Ambulance)	\$998.06	12247	09/22/2016	Center for Healing Childhood Trauma	\$1,125.00
12171	09/22/2016	Border Construction Specialties, LLC	\$4,948.44	12248	09/22/2016	Cochise County Adult Probation	\$310.00
12172	09/22/2016	Bug-Wiser Exterminating, Inc.	\$35.00	12249	09/22/2016	Conklin, Clarissa Victoria	\$130.05
12173	09/22/2016	Cable One	\$297.44	12250	09/22/2016	Cratsenburg, Diane	\$100.00
12174	09/22/2016	CEMEX Construction Materials South, LLC	\$3,181.65	12251	09/22/2016	Domschot, Peggy V	\$8.40
12175	09/22/2016	CEMEX Construction Materials South, LLC	\$2,744.51	12252	09/22/2016	Frodsham, Meagan Elizabeth	\$2,313.22
12176	09/22/2016	CEMEX Construction Materials South, LLC	\$1,169.83	12253	09/22/2016	Hu, Lynn	\$74.62
12177	09/22/2016	Centerline Supply West Inc	\$4,751.25	12254	09/22/2016	Kaplowitz, Stuart A	\$405.00
12178	09/22/2016	CenturyLink	\$212.15	12255	09/22/2016	Mendez, Ryan Nicklas	\$250.00
12179	09/22/2016	CenturyLink	\$300.00	12256	09/22/2016	Moore, Norma Gene	\$124.10
12180	09/22/2016	City of Sierra Vista	\$1,973.36	12257	09/22/2016	Moreno, Mayra A	\$130.05
12181	09/22/2016	Cochise Private Industry Council, Inc.	\$84,950.00	12258	09/22/2016	O'Malley, Thomas	\$100.00
12182	09/22/2016	Cooke, Stephen R.	\$210.00	12259	09/22/2016	Price, Esther	\$124.10
12183	09/22/2016	County Supervisors Association	\$95.00	12260	09/22/2016	Retana, Ismael	\$130.05
12184	09/22/2016	D&M Well Service	\$4,662.50	12261	09/22/2016	Riggs, Karen C.	\$43.21
12185	09/22/2016	Darling Environmental & Surveying, Ltd.	\$518.50	12262	09/22/2016	Shelton, Nathaniel James	\$130.05
12186	09/22/2016	DataBank IMX LLC	\$3,382.50	12263	09/22/2016	Simmons, Bradley	\$100.00
12187	09/22/2016	Deneke, Buffy	\$126.00	12264	09/22/2016	Unkar LLC	\$617.85
12188	09/22/2016	Destiny Software, Inc.	\$6,300.00	12265	09/22/2016	Wyse, Anita Marie	\$130.05
12189	09/22/2016	Douglas NAPA	\$381.93	12266	09/22/2016	Zavala, Shannon M	\$130.05
12190	09/22/2016	Douglas, City of	\$3,206.93	12267	09/22/2016	Berry, Trudy	\$34.00
12191	09/22/2016	E-Z Messenger	\$180.00	12268	09/22/2016	Child, Tori	\$492.90
12192	09/22/2016	Empire Southwest LLC	\$3,724.48	12269	09/22/2016	Cooper, Renee	\$334.66
12193	09/22/2016	ENTECH	\$5,180.00	12270	09/22/2016	Cumberbatch, Arlene	\$174.16
12194	09/22/2016	FasPsych, LLC	\$4,582.50	12271	09/22/2016	Davis, Jennifer R	\$57.78
12195	09/22/2016	Fisher Sand & Gravel	\$72,413.15	12272	09/22/2016	Edmiston, Christina	\$165.24
12196	09/22/2016	Gale Group	\$25.59	12273	09/22/2016	Gilligan, Judith	\$131.72
12197	09/22/2016	Golish, Richard	\$100.00	12274	09/22/2016	Honorable Alma Vildosola	\$276.31
12198	09/22/2016	Granite Construction Company	\$3,252.14	12275	09/22/2016	James, Shanna	\$25.50
12199	09/22/2016	Hall Signs, Inc.	\$2,390.00	12276	09/22/2016	Kolano, Hillary	\$116.90
12200	09/22/2016	Healthcare Innovations, Inc.	\$1,575.78	12277	09/22/2016	Lopez, Nancy	\$48.60
12201	09/22/2016	Industrial Metal Supply Co.	\$7,362.30	12278	09/22/2016	Nelson, Anita	\$93.96
12202	09/22/2016	JE Fuller/Hydrology & Geomorphology, Inc.	\$9,866.06	12279	09/22/2016	Scott, Denise V	\$38.88
12203	09/22/2016	KE&G Construction Inc.	\$5,301.04	12280	09/22/2016	Solis, Joaquin	\$439.81
12204	09/22/2016	Legend Technical Services, Inc.	\$220.00	12281	09/22/2016	Sturm, Norman	\$51.00
12205	09/22/2016	Lundy, W Bert	\$100.00	12282	09/22/2016	Valenzuela, Esther	\$262.17
12206	09/22/2016	Medical Diagnostic Imaging Group	\$337.36	12283	09/27/2016	ACE Hardware - Bisbee	\$140.10
12207	09/22/2016	Miller, James P	\$100.00	12284	09/27/2016	Alphagraphics	\$137.73
12208	09/22/2016	Morgan, J Michael, PhD PC	\$885.00	12285	09/27/2016	Alphagraphics	\$178.46
12209	09/22/2016	OCLC Online Computer Library Center, Inc.	\$1,271.08	12286	09/27/2016	Anasazi Pet Boarding and Grooming	\$253.00
12210	09/22/2016	OverDrive, Inc.	\$2,701.27	12287	09/27/2016	AZ Department of Corrections - Douglas	\$322.98
12211	09/22/2016	Pitney Bowes, Inc.	\$138.10	12288	09/27/2016	AZ Department of Corrections - Douglas	\$40.84
12212	09/22/2016	Prudential Overall Supply	\$232.80	12289	09/27/2016	AZ Department of Transportation	\$1,945.84
12213	09/22/2016	Purcell's Western State Tire Company	\$2,928.83	12290	09/27/2016	AZ Public Service (APS)	\$2,266.97
12214	09/22/2016	Recorded Books, LLC	\$348.20	12291	09/27/2016	AZ State Land Department	\$2,028.89
12215	09/22/2016	Reed, Cynthia - Court Reporter	\$548.80	12292	09/27/2016	AZ State Prison Complex - Fort Grant	\$2,690.40
12216	09/22/2016	Ross, Ramiro	\$60.80	12293	09/27/2016	AZ State Prison Complex - Fort Grant	\$225.00
12217	09/22/2016	RWC International, LTD	\$2,789.10	12294	09/27/2016	AZ Communications Group	\$5,750.00
12218	09/22/2016	Sanofi Pasteur	\$1,547.06	12295	09/27/2016	AZ Communications Group	\$1,000.00
12219	09/22/2016	Schlesinger, Aaron	\$443.30	12296	09/27/2016	B & D Lumber & Hardware	\$110.98

12297	09/27/2016	Banning Creek Enterprises, LLC	\$7,383.20	12374	09/27/2016	Silverberg, Eric J.	\$26.80
12298	09/27/2016	Barnett's Towing & Oxygen LLC	\$255.00	12375	09/28/2016	A-L Financial Corp	\$202.55
12299	09/27/2016	Bisbee Towing	\$200.00	12376	09/28/2016	Internal Revenue Service	\$87.79
12300	09/27/2016	Center for Disease Detection, LLC	\$906.50	12377	09/28/2016	U.S. Department of Education	\$157.62
12301	09/27/2016	CenturyLink	\$70.70	12378	09/29/2016	A Shred Ahead	\$794.00
12302	09/27/2016	CenturyLink	\$2,413.59	12379	09/29/2016	AZ Public Service (APS)	\$5,881.12
12303	09/27/2016	CenturyLink	\$826.27	12380	09/29/2016	AZ Supreme Court	\$11,685.00
12304	09/27/2016	Christiansen, Rosalba	\$260.00	12381	09/29/2016	Baker & Taylor, Inc.	\$2,881.65
12305	09/27/2016	City of Sierra Vista	\$11,473.90	12382	09/29/2016	Bella Vista Water Company-Liberty Water	\$1,384.46
12306	09/27/2016	Clear Springs Utility, Inc.	\$83.61	12383	09/29/2016	Blackstone Audiobooks	\$464.99
12307	09/27/2016	Courtesy Chevrolet / GMAC	\$22,647.81	12384	09/29/2016	Bode Cellmark Forensics, Inc	\$253.50
12308	09/27/2016	Creative Communications Sales & Rentals, Inc.	\$3,850.37	12385	09/29/2016	Bug-Wiser Exterminating, Inc.	\$870.00
12309	09/27/2016	Douglas NAPA	\$586.39	12386	09/29/2016	Catholic Community Services Southern AZ, Inc.	\$553.50
12310	09/27/2016	Emily Danies Attorney at Law LLC	\$1,450.00	12387	09/29/2016	CenturyLink	\$69.26
12311	09/27/2016	Empire Southwest LLC	\$10,752.72	12388	09/29/2016	CenturyLink	\$70.70
12312	09/27/2016	Federal Express Corporation	\$70.46	12389	09/29/2016	CenturyLink	\$34.41
12313	09/27/2016	Flores, Juan P	\$7,980.30	12390	09/29/2016	Child & Family Resources, Inc.	\$1,373.58
12314	09/27/2016	George Medina - George's Upholstery	\$130.68	12391	09/29/2016	Christopher Hitchcock PLC	\$350.00
12315	09/27/2016	George Medina - George's Upholstery	\$130.68	12392	09/29/2016	Cochise Private Industry Council, Inc.	\$53,514.00
12316	09/27/2016	German, Gloria	\$150.00	12393	09/29/2016	COSUGI	\$100.00
12317	09/27/2016	Granite Construction Company	\$5,379.28	12394	09/29/2016	Dapper, Lee T	\$200.00
12318	09/27/2016	Interstate Battery	\$1,049.15	12395	09/29/2016	Deneke, Buffy	\$179.20
12319	09/27/2016	JE Fuller/Hydrology & Geomorphology, Inc.	\$7,358.94	12396	09/29/2016	Gale Group	\$19.19
12320	09/27/2016	John William Lovell, PC	\$1,010.00	12397	09/29/2016	Government Finance Officers Association	\$840.00
12321	09/27/2016	JWS Web Design LLC	\$500.00	12398	09/29/2016	Madrid, Isabel	\$225.00
12322	09/27/2016	Kelly, Peter A.	\$7,640.00	12399	09/29/2016	Medical Diagnostic Imaging Group	\$72.15
12323	09/27/2016	Law Office of Daniel DeRienzo PLLC	\$1,441.50	12400	09/29/2016	OfficeMax North America Inc.	\$18.03
12324	09/27/2016	Lexipol, LLC	\$4,500.00	12401	09/29/2016	Prudential Overall Supply	\$73.15
12325	09/27/2016	Logicalis, Inc.	\$89,491.60	12402	09/29/2016	Recorded Books, LLC	\$789.52
12326	09/27/2016	Madden Preprint Media	\$1,646.00	12403	09/29/2016	Schlesinger, Aaron	\$466.20
12327	09/27/2016	Merle's Automotive Supply, Inc.	\$2,247.75	12404	09/29/2016	Snipes, Bonn J	\$100.00
12328	09/27/2016	National Pen Co, LLC	\$453.40	12405	09/29/2016	Sparkletts	\$130.33
12329	09/27/2016	O'Reilly Chevrolet, Inc.	\$1,362.60	12406	09/29/2016	Sparkletts	\$17.02
12330	09/27/2016	Prudential Overall Supply	\$414.46	12407	09/29/2016	Staples	\$657.01
12331	09/27/2016	Pueblo del Sol Water Company	\$384.74	12408	09/29/2016	Stericycle Inc.	\$215.06
12332	09/27/2016	Pueblo Mechanical & Controls, Inc.	\$100,961.06	12409	09/29/2016	Sulphur Springs Valley Electric Coop, Inc.	\$4,723.14
12333	09/27/2016	Purcell's Western State Tire Company	\$1,130.51	12410	09/29/2016	Supplemental Health Care	\$2,984.00
12334	09/27/2016	Rios, Karina Guadalupe	\$30.00	12411	09/29/2016	Swett, Eric	\$200.00
12335	09/27/2016	Robert J. Zohlmann, Esq.	\$1,400.00	12412	09/29/2016	Technical Resource Management, Inc.	\$14.15
12336	09/27/2016	Roberts, John	\$20.00	12413	09/29/2016	The Bisbee Observer LLC	\$40.00
12337	09/27/2016	Rocco, Tracey	\$26.84	12414	09/29/2016	Waterfall, Economidis, Caldwell, Hanshaw & Villamana PC	\$760.00
12338	09/27/2016	Rodriguez, Shari A.	\$150.00	12415	09/29/2016	Waxie Sanitary Supply	\$290.25
12339	09/27/2016	Rothrock Investigations, LLC	\$238.87	12416	09/29/2016	Western Detention Products, Inc.	\$204.66
12340	09/27/2016	RWC International, LTD	\$3,103.29	12417	09/29/2016	Willcox Rural Fire Department	\$250.00
12341	09/27/2016	Safelite Autoglass Corp.	\$630.58	12418	09/29/2016	Cochise County Adult Probation	\$7,000.00
12342	09/27/2016	Safety-Kleen, Southwest	\$302.75	12419	09/29/2016	Eason, Steven Michael	\$238.36
12343	09/27/2016	Senergy Petroleum LLC	\$47,989.31	12420	09/29/2016	Hernandez, Dany	\$45.99
12344	09/27/2016	Sheakley Pension Administration Inc.	\$836.25	12421	09/29/2016	Housh, Pamela	\$28.33
12345	09/27/2016	Shoemaker, Brad	\$775.00	12422	09/29/2016	Arzaga, Kelsey	\$14.58
12346	09/27/2016	Sierra Vista NAPA	\$199.77	12423	09/29/2016	Furnier, Katja	\$94.45
12347	09/27/2016	Southwest Gas Corporation	\$116.44	12424	09/29/2016	Garcia, Lynn	\$126.00
12348	09/27/2016	Sparkletts	\$146.98	12425	09/29/2016	Lopez, Nancy	\$48.60
12349	09/27/2016	Sprint	\$69.81	12426	09/29/2016	Mansour, Brooke	\$237.68
12350	09/27/2016	St. David Domestic Water Improvement District	\$20.92	12427	09/29/2016	McCleave, Keturah M	\$92.07
12351	09/27/2016	Sulphur Springs Valley Electric Coop, Inc.	\$1,718.54	12428	09/29/2016	Snyder, Gregg A	\$29.16
12352	09/27/2016	SymbolArts	\$130.00	12429	09/29/2016	Soto, Maria Yecenia	\$26.78
12353	09/27/2016	The Bisbee Observer LLC	\$48.55	12430	09/29/2016	Vickers, Roza	\$113.67
12354	09/27/2016	Thomson West	\$390.24	12431	10/04/2016	Amazon.com LLC	\$1,241.80
12355	09/27/2016	Thorn Law Office	\$4,855.47	12432	10/04/2016	AZ Chapter National Safety Council	\$900.00
12356	09/27/2016	Town of Payson	\$250.00	12433	10/04/2016	AZ Department of Corrections - Douglas	\$68.95
12357	09/27/2016	Truck and Trailer Parts	\$90.37	12434	10/04/2016	AZ Department of Corrections - Douglas	\$48.98
12358	09/27/2016	U.S. Healthworks Medical Group of AZ, PC	\$169.00	12435	10/04/2016	AZ Department of Corrections - Douglas	\$2,826.34
12359	09/27/2016	Valley Telephone Cooperative, Inc.	\$293.85	12436	10/04/2016	AZ Department of Corrections - Douglas	\$480.00
12360	09/27/2016	Voyager Fleet System, Inc.	\$2,130.23	12437	10/04/2016	AZ Department of Corrections ASPC-Tucson	\$90.00
12361	09/27/2016	Walker, Jimmy Lee	\$15.00	12438	10/04/2016	AZ Department of Transportation	\$1,959.61
12362	09/27/2016	Walmart	\$87.56	12439	10/04/2016	AZ Public Service (APS)	\$477.74
12363	09/27/2016	Watson Chevrolet Inc	\$1,504.83	12440	10/04/2016	AZ State Prison Complex - Fort Grant	\$146.25
12364	09/27/2016	Waxie Sanitary Supply	\$975.84	12441	10/04/2016	AZ Waste Oil Service, Inc.	\$1,670.00
12365	09/27/2016	Weems, Elizabeth Annette	\$150.00	12442	10/04/2016	B & H Photo - Video	\$3,036.95
12366	09/27/2016	West Elsberry Longenbaugh & Zickerman, PLLC	\$3,349.85	12443	10/04/2016	Banning Creek Enterprises, LLC	\$7,388.80
12367	09/27/2016	Wick Communications	\$71.40	12444	10/04/2016	Benson, City of	\$461.63
12368	09/27/2016	Willcox Auto Parts Inc.	\$2,350.29	12445	10/04/2016	Blackstone Audiobooks	\$47.00
12369	09/27/2016	Willcox Auto Parts Inc.	\$10.17	12446	10/04/2016	Bowie Water Improvement District	\$44.79
12370	09/27/2016	WR Ryan Company	\$401.76	12447	10/04/2016	Bradley R. Johnson, MD, PLLC	\$500.00
12371	09/27/2016	Cochise County Sheriff's Department	\$1,012.86	12448	10/04/2016	Branco Machinery Co.	\$1,954.61
12372	09/27/2016	Legal Transcription Services Plus	\$1,815.75	12449	10/04/2016	Cable One	\$297.44
12373	09/27/2016	Nyander, Penny Sue	\$514.50	12450	10/04/2016	Canyon Vista Medical Center	\$21,345.42

12451	10/04/2016	CenturyLink	\$137.61
12452	10/04/2016	CenturyLink	\$68.54
12453	10/04/2016	CenturyLink	\$1,590.00
12454	10/04/2016	Chase Technology Consulting, LLC	\$255.00
12455	10/04/2016	Cochise County Sheriff's Department	\$797.00
12456	10/04/2016	Courtesy Chevrolet / GMAC	\$37,444.26
12457	10/04/2016	Creative Communications Sales & Rentals, Inc.	\$5,224.28
12458	10/04/2016	Creative Product Source, Inc	\$532.57
12459	10/04/2016	Culligan of Tucson	\$197.36
12460	10/04/2016	Douglas, City of	\$10,249.78
12461	10/04/2016	Empire Southwest LLC	\$3,661.04
12462	10/04/2016	Environmental Science Corp Lab Sciences	\$1,394.00
12463	10/04/2016	FasPsych, LLC	\$585.00
12464	10/04/2016	Federal Express Corporation	\$105.11
12465	10/04/2016	Federal Express Corporation	\$28.01
12466	10/04/2016	Gale Group	\$73.70
12467	10/04/2016	Granite Construction Company	\$4,034.95
12468	10/04/2016	Interstate Battery	\$11.45
12469	10/04/2016	Jensen's Sierra Vista Mortuary	\$500.00
12470	10/04/2016	Lawley Motors	\$5,281.99
12471	10/04/2016	LexisNexis Matthew Bender	\$156.99
12472	10/04/2016	Merle's Automotive Supply, Inc.	\$575.65
12473	10/04/2016	National Pen Co, LLC	\$539.40
12474	10/04/2016	O'Rielly Chevrolet, Inc.	\$232.07
12475	10/04/2016	Prudential Overall Supply	\$424.65
12476	10/04/2016	Purcell's Western State Tire Company	\$4,206.65
12477	10/04/2016	Recorded Books, LLC	\$56.90
12478	10/04/2016	RWC International, LTD	\$421.79
12479	10/04/2016	Safelite Autoglass Corp.	\$337.98
12480	10/04/2016	Senergy Petroleum LLC	\$32,483.73
12481	10/04/2016	SHI International Corp.	\$4,490.16
12482	10/04/2016	Sierra Vista NAPA	\$137.01
12483	10/04/2016	Southwest Gas Corporation	\$210.99
12484	10/04/2016	St. David Domestic Water Improvement District	\$20.92
12485	10/04/2016	Sulphur Springs Valley Electric Coop, Inc.	\$311.40
12486	10/04/2016	Trinity Services Group, Inc.	\$46,784.78
12487	10/04/2016	Tyler Technologies, Inc.	\$106,474.21
12488	10/04/2016	ULINE	\$89.69
12489	10/04/2016	UniFirst Corporation	\$579.05
12490	10/04/2016	Valley Telephone Cooperative, Inc.	\$766.68
12491	10/04/2016	Waste Management of AZ, Inc.	\$381.82
12492	10/04/2016	Watson Chevrolet Inc	\$615.46
12493	10/04/2016	Whetstone Water Improvement District	\$198.08
12494	10/04/2016	Willcox Auto Parts Inc.	\$3,016.81
12495	10/04/2016	Willcox, City of	\$824.36
12496	10/04/2016	WR Ryan Company	\$5,503.00
12497	10/04/2016	CenturyLink	\$35.35
12498	10/04/2016	Clemson, Lyle	\$100.00
12499	10/04/2016	Safeguard Business Systems, Inc.	\$113.62
12500	10/04/2016	Wallace, Kenneth W.	\$281.25
12501	10/04/2016	AOC Corrections Officer Retire	\$19,269.01
12502	10/04/2016	AOC Corrections Officer Retire	\$273.96
12503	10/04/2016	Correction Officers	\$7,104.76
12504	10/04/2016	EODCRS	\$9.06
12505	10/04/2016	Nationwide Retirement Solutions	\$507.50
12506	10/04/2016	Public Safety Retirement Syst	\$21,370.42
12507	10/04/2016	Public Safety Retirement Syst	\$17,150.41
12508	10/04/2016	Public Safety Retirement Syst	\$1,245.10
12509	10/04/2016	Public Safety Retirement Syst	\$634.38
12510	10/04/2016	Public Safety Retirement Syst	\$1,231.94

Regular Board of Supervisors Meeting**Community Development****Meeting Date:** 11/01/2016

Approve Contract for Hearing Officer

Submitted By: Terry Hudson, Procurement**Department:** Procurement**Presentation:** No A/V
Presentation**Recommendation:** Approve**Document Signatures:** BOS Signature
Required**# of ORIGINALS** 2
Submitted for Signature:**NAME**
of PRESENTER: Terry Hudson**TITLE**
of PRESENTER: Procurement Director**Mandated Function?:** Not Mandated**Source of Mandate**
or Basis for Support?:**Docket Number (If applicable):****Information****Agenda Item Text:**

Approve Professional Service Agreement No. PSA 17-08-P&Z-04 to Gregory Johnson for Hearing Officer Services for the Community Development Department, Planning, Zoning and Building Safety Division in the not to exceed annual amount of \$5,000 for a one year period beginning on October 25, 2016 with a renewal option of four additional one year periods.

Background:

The Community Development Department requires the services of a Hearing Officer to make determinations on violations to the Zoning Regulations in accordance with the procedure duly adopted by the Cochise County Board of Supervisors, including but not limited to the following:

- Function in the capacity of a administrative law judge to determine whether or not a respondent has committed a violation of the Cochise County Zoning Regulations or Building Safety Codes
- Determine the time and place for said hearing in a timely manner, unless agreed to by the County or in the event that there are unique circumstances presented to the Hearing Officer
- Conduct said hearing and make determinations thereon
- Prepare findings of fact and conclusions of law in support of said decisions
- Impose civil penalties on persons adjudicated to be in violation of said regulations or codes, as applicable
- Pursuant to A.R.S. §11-810, Hearing Officer hears appeals of dedications, exactions and the adoption or amendment of a zoning regulation that is alleged to be a taking in violation of A.R.S. §11-811
- The Board of Supervisors may, at its discretion, and with the consent of the Hearing Officer, assign the Hearing Officer to preside over administrative appeals of other matters, as well

Department's Next Steps (if approved):

Execute agreement, schedule required services and monitor agreement performance.

Impact of NOT Approving/Alternatives:

The Community Development Department would be without a Hearing Officer and could not hold hearings on violations.

To BOS Staff: Document Disposition/Follow-Up:

Obtain Chairman of the Board's signature, two original copies have been hand delivered to the BOS staff a copy is attached.

Budget Information

Information about available funds

Budgeted: ☐
Unbudgeted: ☐

Funds Available: ☐
Funds NOT Available: ☐

Amount Available:
Amendment: ☐

Account Code(s) for Available Funds

1:

Fund Transfers

**Fiscal Impact & Funding Sources
(if known):**

The Community Development Department has budgeted sufficiently for this expenditure in their annual work plan in fund line 100-1900-1930 421.000

Attachments

PSA 17-08-P&Z-04



COCHISE COUNTY PROCUREMENT DEPARTMENT

1415 Melody Lane, Building C, Bisbee, AZ 85603

Phone: (520) 432-8391 Fax: (520) 432-8397

Professional Services Agreement Agreement No. 17-08-P&Z-04 - Hearing Officer

THIS AGREEMENT is made and entered into this _____ day of _____, 2016 by and between Cochise C, hereinafter referred to as the "COUNTY", and Gregory Johnson, hereinafter referred to as the "HEARING OFFICER".

I. SCOPE OF SERVICES

Subject to the terms and conditions set forth in this agreement, The Hearing Officer shall provide all services to the satisfaction of the County in accordance with the Scope of Services described in "**Exhibit A**".

II. COMPENSATION AND METHOD OF PAYMENT

In consideration of performance of the services described in the Scope of Services, the County shall pay the Hearing Officer in accordance with the fee schedule negotiated prior to contract execution, attached herein as "**Exhibit B, Fee Schedule**".

The County will pay the Hearing Officer following the submission of itemized invoices(s) for the services rendered. No payment shall be issued prior to receipt of services and a correct invoice. Each invoice must bear written certification by an authorized County representative confirming the services for which payment is requested have been performed. County agrees to pay all properly documented invoices, for accepted work within thirty (30) days of receipt.

All notices, invoices and payment shall be made in writing and may be given by personal delivery or by mail. The designated recipients for such notices, invoices and payments are as follows:

Hearing Officer:

Gregory Johnson
4632 San Cristobal
Sierra Vista, AZ 85635
Phone: 520-508-3648
gregory.l.johnson@cox.net

County:

Chris Saylor, Code Enforcement Officer
Cochise County Community Development
Planning, Zoning and Building Safety Division
1415 Melody Lane, Bldg. E
Bisbee, AZ 85635
Phone: 520-432-9300
csaylor@cochise.az.gov

III. CONTRACT DURATION

The contract term will be valid for a one (1) year period from the date of the agreement execution with the option to extend on a year to year basis at the County's discretion for a maximum of four (4) additional one (1) year periods.

IV. TERMINATION

- A. The County may cancel this Contract without penalty or further obligation pursuant to A.R.S. §38-511 if any person significantly involved in initiating, negotiating, securing, drafting or creating the Contract on behalf of the County is or becomes, at any time while the Contract or any extension of the Contract is in effect any employee of, or Hearing Officer to any other party to this Contract with respect to the subject matter of the Contract. Such cancellation shall be effective when written notice from the County is received by the parties to this Contract, unless the notice specifies a later time.
- B. This contract may also be terminated at any time by mutual written consent, or by the County, with or without cause, upon giving the thirty (30) days written notice to the Hearing Officer. The County at its convenience, by written notice, may terminate this contract, in whole or in part. If this contract is terminated, the County shall be liable only for payment under the payment provisions of this contract for services rendered and accepted material received by the County before the effective date of termination.
- C. The County reserves the right to cancel the whole or any part of this contract due to failure of the Hearing Officer to carry out any term, promise or condition of the contract. The County will issue a written ten (10) day notice of default to the Hearing Officer for acting or failing to act any of the following, in the opinion of the County:
 - 1. Hearing Officer provides personnel who do not meet the requirements of the contract;
 - 2. Hearing Officer fails to adequately perform the stipulations, conditions, or services/specifications required in the contract;
 - 3. Hearing Officer attempts to impose on the County personnel, materials, products, or workmanship that is not of an acceptable quality;
 - 4. Hearing Officer fails to furnish the required service and/or product within the time stipulated in the contract;
 - 5. Hearing Officer fails to make progress in the performance of the requirements of the contract and/or gives the County a positive indication that Hearing Officer will not or cannot perform to the requirements of the contract.

V. ENFORCEMENT, LAWS AND ORDINANCES

This agreement shall be enforced under the laws of the State of Arizona. Hearing Officer must comply with all applicable federal, state, and local laws, ordinances, and regulations. Hearing Officer shall ensure payment of all taxes, licenses, permits, and other expenses of any nature associated with the provision of services herein. Hearing Officer shall maintain in current status all Federal, State and Local licenses and permits required for the operation of the business conducted by the Hearing Officer.

VI. INDEPENDENT HEARING OFFICER

It is clearly understood that each party shall act in its individual capacity and not as an agent, employee, partner, joint ventures, or associate of the other. An employee or agent of one party shall not be deemed or construed to be the employee or agent of the other party for any purpose whatsoever.

The Hearing Officer is advised that taxes or social security payments shall not be withheld from a County payment issued hereunder and that Hearing Officer should make arrangements to directly pay such expenses, if any.

The County will not provide any insurance coverage to the Hearing Officer including Workmen's Compensation coverage.

VII. MODIFICATIONS

This Agreement may only be modified by a written amendment signed by persons duly authorized to enter into contracts on behalf of the County and the Hearing Officer.

VIII. WAIVER

The failure of either party of this Agreement to take affirmative action with respect to any conduct of the other which is in violation of the terms of this contract shall not be construed as a waiver thereof, or of any future breach or subsequent wrongful conduct.

IX. INDEMNIFICATION

To the fullest extent permitted by law, Hearing Officer agrees to indemnify, defend, and hold harmless Cochise County, a body politic and corporate of the State of Arizona, its board members, officers, employees, agents and other officials from all claims, damages, losses, and expenses, including but not limited to attorney's fees, court costs, or other alternative dispute resolution costs arising out of, resulting from, or otherwise but for the performance or furnishing of work or services under this Agreement, provided that any such claim, damage, loss, or expense is attributable to bodily injury, sickness, disease, death, or personal injury, or property damage, including the loss of use or diminution in value resulting there from; but only to the extent caused in whole or in part by the actual or alleged negligent acts, errors, or omissions of Hearing Officer, or anyone for whose acts Hearing Officer may be liable. Cochise County reserves the right, but not the obligation, to participate in defense without relieving Hearing Officer of any obligation hereunder.

The amount and type of insurance required shall not in any way be construed as limiting the scope of the indemnification set forth above.

X. INSURANCE

Insurance is not required for this contract

XI. MISCELLANEOUS PROVISIONS

- A. No assignment of this Agreement or subcontract shall be made by the Hearing Officer with any other party for furnishing any of the services herein contracted for without the advance written approval of the Procurement Department. All sub consultants shall comply with Federal and State laws and regulations which are applicable to the services covered by the subcontract and shall include all the terms and conditions set forth herein which shall apply with equal force to the subcontract, as if the sub contractor were the Hearing Officer referred to herein. The Hearing Officer is responsible for contract performance whether or not sub contractor are used.
- B. The Hearing Officer shall establish and maintain procedures and controls that are acceptable to the County for the purpose of assuring that no information contained in its records or obtained from the County or from others in carrying out its functions under the contract shall be used by or disclosed by it, its agents, officers, or employees, except as required to efficiently perform duties under the contract. Persons requesting such information must be referred to the County.

- C. All services, information, computer program elements, reports, and other deliverables which may have a potential patent or copyright value and which are created under this Agreement shall be the property of the County and shall not be used by the Hearing Officer or any other person except with the prior written permission of the County.
- D. This Agreement is subject to the provisions of A.R.S. Sec. 38-511.
- E. The Hearing Officer shall comply with all applicable provisions of the Americans With Disabilities Act (Public Law 101-336, 42 U.S.C. 12101-12213) and applicable federal regulations under the Act.

XII. LEGAL ARIZONA WORKERS ACT COMPLIANCE:

Hearing Officer hereby warrants that it will at all times during the term of this Contract comply with all federal immigration laws applicable to Hearing Officer's employment of its employees, and with the requirements of A.R.S. § 23-214(A) (together the "State and Federal Immigration Laws"). The Hearing Officer shall further ensure that each sub consultant who performs any work for the Hearing Officer under this contract likewise complies with the State and Federal Immigration Laws.

The County shall have the right at any time to inspect the books and records of the Hearing Officer and any sub contractor in order to verify such party's compliance with the State and Federal Immigration Laws.

Any breach of the Hearing Officer's or any sub contractor's warranty of compliance with the State and Federal Immigration Laws, or of any other provision of this section, shall be deemed to be a material breach of this contract subjecting the Hearing Officer to penalties up to and including suspension or termination of this Contract. If the breach is by a sub contractor, and the subcontract is suspended or terminated as a result, the Hearing Officer shall be required to take such steps as may be necessary to either self-perform the services that would have been provided under the subcontract or retain a replacement sub consultant, (subject to County approval if MWBE preferences apply) as soon as possible so as not to delay project completion.

The Hearing Officer shall advise each sub consultant of the County's rights, and the sub consultant's obligations, under this Section by including a provision in each subcontract substantially in the following form:

"The sub contractor hereby warrants that it will at all times during the term of this contract comply with all federal laws applicable to the sub contractor's employees and with the requirements of A.R.S. §23-214(A). The sub contractor further agrees that the County may inspect the sub contractor's books and records to insure that the sub contractor is in compliance with these requirements. Any breach of this paragraph by the sub contractor will be deemed to be a material breach of this contract subjecting the sub contractor to penalties up to and including suspension or termination of this contract."

Any additional costs attributable directly or indirectly to remedial action under this Section shall be responsibility of the Hearing Officer. In the event that remedial action under this Section results in delay to one or more tasks on the critical path of the Hearing Officer's approved construction or critical milestones schedule, such period of delay shall be deemed excusable delay for which the Hearing Officer shall be entitled to an extension of time, but not costs.

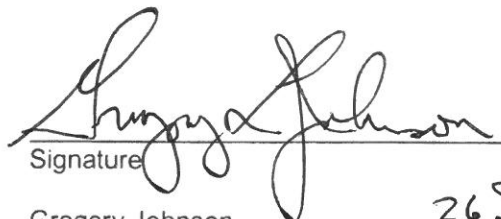
XII. FOREIGN INVESTMENT AND BUSINESS OPERATIONS:

In accordance with ARS §35-393.01, Hearing Officer certifies that the Hearing Officer is currently not engaged in, and for the duration of this Agreement agrees not to engage in, a boycott of Israel.

This Agreement PSA 17-08-P&Z-04 represents the entire agreement between the County and the Hearing Officer relating to this requirement and shall prevail over any and all previous verbal and written agreements.

Hearing Officer:

County :


Signature _____ Date _____
Gregory Johnson 26 Sept 2016

Signature _____ Date _____
Richard Searle, Chairman
Cochise County Board of Supervisors

This Section Left Intentionally Blank

EXHIBIT "A" - SCOPE OF SERVICES

Professional Services Agreement Agreement No. 17-08-P&Z-04 - Hearing Officer

- A. Hearing Officer makes determinations on violations to the Zoning Regulations and Floodplain Regulations in accordance with procedures duly adopted by the Cochise County Board of Supervisors, including, but not limited to the following:
- Function in the capacity of an administrative law judge to determine whether or not a respondent has committed a violation of the Cochise County Zoning Regulations or Cochise County Building Safety Code
 - Conduct said hearing and make determinations thereon
 - Prepare findings of fact and conclusions of law in support of said decisions
 - Impose civil penalties on persons adjudicated to be in violation of said regulations or codes, as applicable
- B. Pursuant to A.R.S. §11-810, Hearing Officer hears appeals of dedications, exactions and the adoption or amendment of a zoning regulation that is alleged to be a taking in violation of A.R.S. §11-811.
- C. The Board of Supervisors may, at its discretion, and with the consent of the Hearing Officer, assign the Hearing Officer to preside over administrative appeals of other matter, as well.

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EXHIBIT B – FEE SCHEDULE

Professional Services Agreement Agreement No. 17-08-P&Z-04 - Hearing Officer

In consideration of the performance of the services described in Exhibit A – Scope of Services, the County shall pay the Hearing Officer fifty (\$50.00) per hour with a maximum of eight (8) hours per day, with the total not to exceed Four Hundred Dollars (\$400.00) per day. The maximum annual amount paid shall not exceed Five Thousand Dollars (\$5,000.00).

Invoices shall be submitted following each hearing. The number of hours submitted by the Hearing Office shall be rounded to the nearest one-tenth of an hour.

Regular Board of Supervisors Meeting**Community Development****Meeting Date:** 11/01/2016

Assurance Agreement extension request for Linda Vista Subdivision Phase 4

Submitted By: Paul Esparza, Community Development**Department:** Community Development**Division:** Planning & Zoning**Presentation:** No A/V Presentation**Recommendation:** Approve**Document Signatures:** BOS Signature Required**# of ORIGINALS Submitted for Signature:** 1**NAME of PRESENTER:** Paul Esparza**TITLE of PRESENTER:** P&Z Director**Docket Number (If applicable):** S-94-01**Mandated Function?:** Not Mandated**Source of Mandate or Basis for Support?:****Information****Agenda Item Text:**

Approve an extension of the Linda Vista Subdivision Assurance Agreement with Pioneer Title Agency, Inc. as trustee for Phase 4 subdivision improvements to March 22, 2020.

Background:

This item is a request for an extension of an Assurance Agreement for the Linda Vista Subdivision, Phase 4 (Docket S-94-01). The Linda Vista subdivision is comprised of 76 lots, located at the corner of Hereford Road and Edward V. Drive. The Board of Supervisors approved the final plat March 15, 2005; since then, the lots for Phases 1 – 3 have been released. The extension is requested in order to complete subdivision improvements for Phase 4, consisting of lots 60-76.

An Assurance Agreement is a contract between the Board of Supervisors and a trust company that guarantees lots will not be offered for sale until all improvements are constructed. The Assurance Agreement is currently set to expire on March 22, 2017 if not extended by Board action. Although the owner has made substantial progress on the required improvements, and while 56 of the 60 released lots have been sold from previous phases, lot sales remain slow due to market conditions. The owner hopes that the requested extension would allow more time for the market conditions to change.

This request is from beneficiary Edward O. Garcia, President Garcia Development, LLC. Pioneer Title Agency, Inc. is Trustee under Trust #305619. Mr. Garcia is requesting that the Assurance Agreement be extended for three years to March 22, 2020.

Department's Next Steps (if approved):

If the Board approves the extension request, the Board Chairman will sign and the assurance agreement extension will be recorded with a new expiration date of March 22, 2020.

Impact of NOT Approving/Alternatives:

If the Board does not approve the extension request, the assurance agreement will expire on March 22, 2017. The 60 lots in Phases 1-3 have been completed and released. The subdivision improvements for the remaining 16 lots in Phase 4 have not been completed. Those lots would likely not be completed nor could they be released for sale.

To BOS Staff: Document Disposition/Follow-Up:

When the assurance agreement extension has been signed, please return the original to the Planning Department for recording and filing.

Attachments

AAext staff memo

AAext request letter

LV aerial map

Extension Agreement



Cochise County
Community Development
Planning, Zoning and Building Safety Division
Public Programs...Personal Service
www.cochise.az.gov

INTEROFFICE MEMO

Date: October 20, 2016
To: Cochise County Board of Supervisors
From: Paul Esparza, P&Z Director
Subject: Docket S-94-01 Linda Vista Subdivision, Phase 4 Assurance Agreement Extension

This item is a request for an extension of an Assurance Agreement for the Linda Vista Subdivision, Phase 4 (Docket S-94-01). The Linda Vista subdivision is comprised of 76 lots, located at the corner of Hereford Road and Edward V. Drive. The Board of Supervisors approved the final plat March 15, 2005; since then, the lots for Phases 1 – 3 have been released. The extension is requested in order to complete subdivision improvements for Phase 4, consisting of lots 60-76.

An Assurance Agreement is a contract between the Board of Supervisors and a trust company that guarantees lots will not be offered for sale until all improvements are constructed. The Assurance Agreement is currently set to expire on March 22, 2017 if not extended by Board action. Although the owner has made substantial progress on the required improvements, and while 56 of the 60 released lots have been sold from previous phases, lot sales remain slow due to market conditions. The owner hopes that the requested extension would allow more time for the market conditions to change.

This request is from beneficiary Edward O. Garcia, President Garcia Development, LLC. Pioneer Title Agency, Inc. is Trustee under Trust #305619. The Assurance Agreement Extension form is attached; if the Board approves the request, the Chair would sign the form extending the Assurance Agreement to March 22, 2020, whereupon staff will record the document.

Motion

I move to extend the Linda Vista Subdivision Assurance Agreement with Pioneer Title Agency, Inc. as Trustee under trust number 305619 to March 22, 2020.

Attachments:

- A. Request for Assurance Agreement Extension
- B. Assurance Agreement Extension

Planning, Zoning and Building Safety

1415 Melody Lane, Building E
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov

Highway and Floodplain

1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov

August 10, 2016

**E. F. I & N. Garcia Development LLC
Linda Vista Subdivision
P O Box 367
Hereford, Arizona, 85615
(520) 266-2264**

Paul Esparza, AICP
Director, Planning, Zoning and Building Safety Division
Cochise County Community Development
1415 Melody Lane, Building E
Bisbee, Arizona, 85603

Dear Mr. Paul Esparza

It is requested that the completion date for the development of phase four (4) Linda Vista Subdivision (16 Lots) be extended from March 2017 to March 2020. The struggling real estate market, for Cochise County, as it relates to residential lots and new construction make it financially difficult to proceed with phase four at this time.

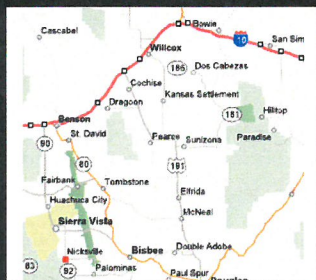
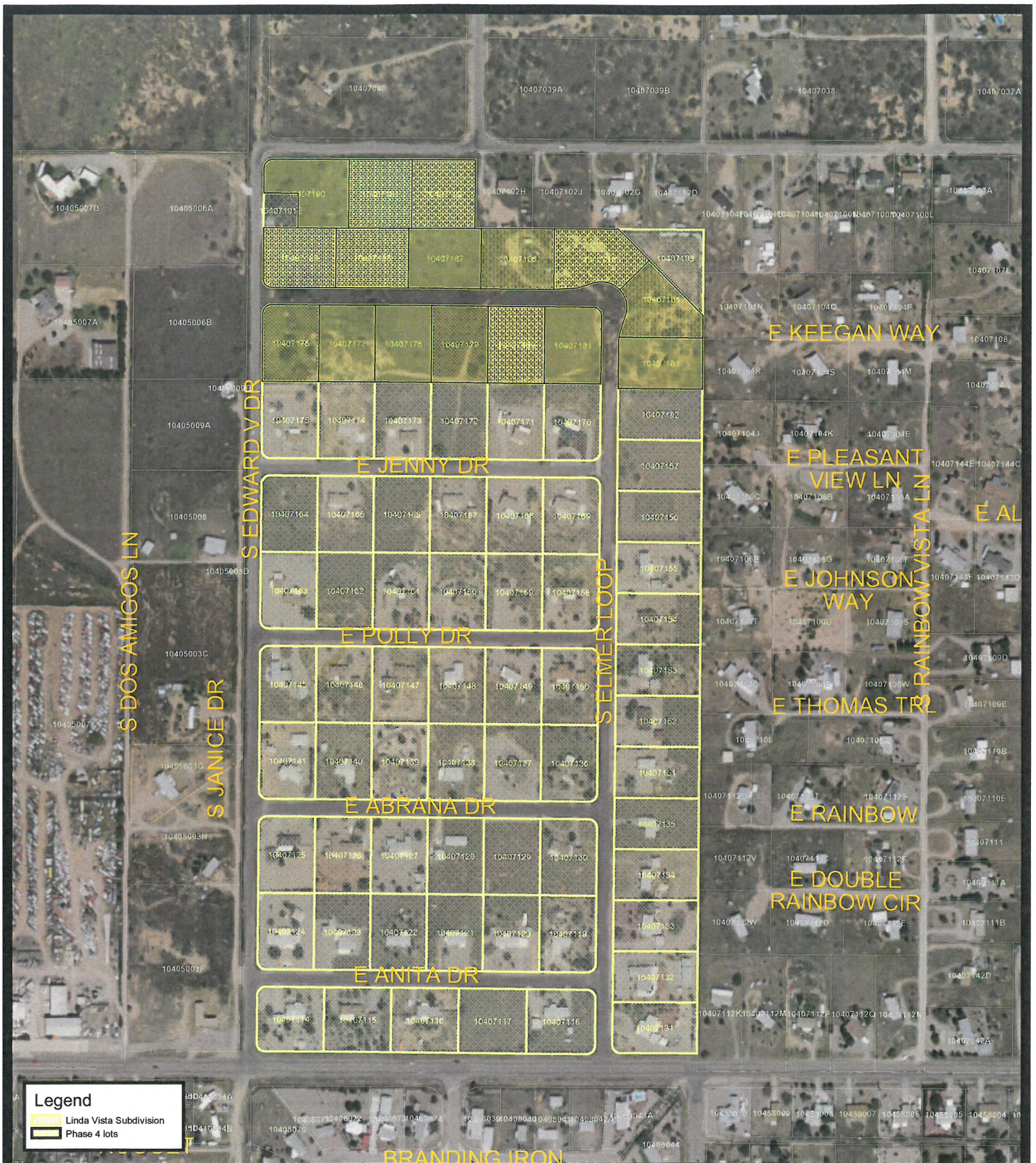
Linda Vista Subdivision is comprised of 76 lots of which 60 lots have been completed. There are still 4 lots available in phase three (3) of which there has been little to no activity for the sales of these lots. The marketing of these remaining lots in phase three has continued with negative results.

Please advise, if there is anything else I need to provide as it relates to the completion date of Phase Four Linda Vista Subdivision.

Sincerely



Edward O. Garcia
Owner/Manager
Garcia Development LLC



Linda Vista Subdivision

This map is a product of the
Cochise County GIS
Information Technology Dept.



0' 1" = 393'

**EXTENSION OF ASSURANCE AGREEMENT
FOR COMPLETION OF LINDA VISTA PHASE 4 SUBDIVISION IMPROVEMENTS**

EXTENSION AGREEMENT made and entered as of the 18 day of Oct, 20 16, between Pioneer Title Agency, Inc., as Trustee under Trust 305619, hereinafter referred to as "Trustee", Edward O. Garcia, President Garcia Development, LLC, as Beneficiary of Trust 305619, hereinafter referred to as "Beneficiary", and COCHISE COUNTY, Arizona, hereafter referred to as "County."

WHEREAS, an assurance agreement between Cochise County and Pioneer Title Agency, Inc., as Trustee under Trust 305619, was entered on March 22, 2005, for the completion of subdivision improvements for Linda Vista Phase 4 Subdivision, with an expiration date of March 22, 2008, as recorded in Book 15, pp. 33-33A of maps and plats, in the Office of the Cochise County Recorder. Said agreement was recorded on March 22, 2005; Fee # 050309558, Office of the Cochise County Recorder; and,

WHEREAS, a final plat has been recorded for the Linda Vista Phase 4 Subdivision; and,

WHEREAS, the above-referenced assurance agreement was previously extended to March 22, 2017; and,

WHEREAS, the above-referenced assurance agreement provides that the agreement may be extended at the discretion of the County; and,

WHEREAS, good progress has been made towards approval of the improvement plans for completion of improvements of the above project; and,

WHEREAS, Pioneer Title Agency, Inc., as Trustee under Trust 305619, and Beneficiaries Edward O. Garcia, President Garcia Development, LLC, have requested a further extension of time for completion of improvements; and,

WHEREAS, Cochise County believes that such an extension is justified,

NOW, THEREFORE IT IS HEREBY AGREED THAT:

The Assurance Agreement for Completion of Subdivision Improvements recorded on March 22, 2005, Fee # 050309558, is extended with a new expiration date of March 22, 2020, and the parties hereto agree to abide by the terms of such Assurance Agreement.

IN WITNESS WHEREOF, the parties have executed this extension of Assurance Agreement this 18 day of Oct, 20 16.

COCHISE COUNTY:

Chairman, Cochise County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

Deputy County Attorney

TRUSTEE:

Pioneer Title Agency, Inc.

(Title Company)

An Arizona corporation, as Trustee under
Trust no. 305619 only and not in its
capacity

By: R. Keith Newlon

Trust Officer

STATE OF ARIZONA)

) ss.

COUNTY OF Cochise)

On this the 18th day of October, 2016, before me, the undersigned officer, personally
appeared R. Keith Newlon, who acknowledged himself/herself to be the
Trust Officer of Pioneer Title Agency, Inc., an Arizona
corporation, and that he/she as such officer being authorized so to do, executed the foregoing
instrument for the purposes therein contained by signing the name of the corporation by himself/herself
as such officer.

In witness whereof, I have hereunto set my hand and official seal.

April Leistikow
Notary Public



My Commission Expires: 1-1-18

OWNER/BENEFICIARY

Edward O. Garza
Owner/Beneficiary

STATE OF ARIZONA)

) ss.

COUNTY OF Cochise)

The foregoing instrument was acknowledged before me this 18 day of October,
2016, by Edward O. Garza as Owner/manager, Beneficiary

April Leistikow
Notary Public



My Commission Expires: 1-1-18

Regular Board of Supervisors Meeting**Community Development****Meeting Date:** 11/01/2016

Appointment and Re-appointment of Individuals to the Cochise County Building Code Advisory and Appeals Board

Submitted By: Paul Esparza, Community Development**Department:** Community Development**Division:** Planning & Zoning**Presentation:** No A/V Presentation**Recommendation:** Approve**Document Signatures:** BOS Signature NOT Required**# of ORIGINALS** 0
Submitted for Signature:**NAME of PRESENTER:** Paul Esparza**TITLE of PRESENTER:** P & Z Director**Docket Number (If applicable):****Mandated Function?:** Not Mandated**Source of Mandate or Basis for Support?:****Information****Agenda Item Text:**

Approve the appointments of the following persons to the Building Code Advisory and Appeals Board: appoint Ed Shiver to replace Bill Miller as the Fire Safety board member and fill a four-year term that will expire on September 25, 2017; reappoint Mike Rutherford as a General Contractor board member to a second three-year term that will expire on September 25, 2019; and reappoint Kim Mulhern as Member-at-Large to a second three-year term that will expire on September 25, 2019.

Background:

The Cochise County Building Code Advisory and Appeals Board (BCAAB) was established in September 2013 as a seven-member board to hear and decide appeals of orders, decisions or determinations made by the Building Official regarding application and interpretation of the adopted building codes; to determine the appropriateness of alternative building materials and construction methods and to advise the Building Official and Planning, Zoning and Building Safety Division on proposed revisions or additions to adopted building codes.

The BCAAB at their September 2016 board meeting unanimously recommended approval of the appointment of Ed Shiver to replace Bill Miller as the Fire Safety board member and fill a four-year term set to expire on September 25, 2017.

The BCAAB at their September 2016 board meeting unanimously recommended approval of the re-appointment of Mike Rutherford as a General Contractor board member to a second three-year term set to expire on September 25, 2019.

The BCAAB at their September 2016 board meeting unanimously recommended approval of the re-appointment of Kim Mulhern as Member-at-Large to a second three-year term set to expire on September 25, 2019.

Department's Next Steps (if approved):

If approved, Staff will notify the new and current board members of their appointments.

Impact of NOT Approving/Alternatives:

If the appointments are not approved, the seven-member Cochise County Building Code Advisory and Appeals Board will have the following three vacant positions: Fire Safety, General Contractor and Member-at-Large.

To BOS Staff: Document Disposition/Follow-Up:

BOS staff will notify P&Z staff of the Board action.

Attachments

Ed Shiver memo

Kim Mulhern

Mike Rutherford

Letter of Interest



Cochise County
Community Development
Planning, Zoning and Building Safety Division
Public Programs...Personal Service
www.cochise.az.gov

DATE: October 20, 2016
TO: Cochise County Board of Supervisors
FROM: Paul Esparza, P&Z Director
SUBJECT: Appointment of Ed Shiver to the Cochise County Building Code Advisory and Appeals Board

Recommendation: Staff recommends approval of the appointment of Ed Shiver to the Cochise County Building Code Advisory and Appeals Board (BCAAB).

Background: A vacancy on the board was created by the resignation of Bill Miller. A new appointment will fill this four-year term due to expire on September 25, 2017. The BCAAB unanimously recommended approval of the appointment of Ed Shiver at their September 2016 board meeting.

The Cochise County Building Code Advisory and Appeals Board was established in September 2013 as a seven-member board to hear and decide appeals of orders, decisions or determinations made by the Building Official regarding application and interpretation of the adopted building codes; to determine the appropriateness of alternative building materials and construction methods and to advise the Building Official and Planning, Zoning and Building Safety Division on proposed revisions or additions to adopted building codes.

Mr. Shiver is the current Fire Marshall for Fry Fire District and would fill the Fire Safety position on the Board due to the resignation and retirement of Fry Fire Chief Bill Miller. Mr. Shiver will be a welcome addition to the Building Code Advisory and Appeals Board.

Fiscal Impact & Funding Sources: If approved, there will be no fiscal impact.

Next Steps/Action Items/Follow-up: Following a successful appointment, staff will notify Mr. Shiver of his appointment and board meeting schedule.

Impact of Not Approving: Should this item not be approved, the Building Code Advisory and Appeals Board would not fill the Fire Safety board member position.

Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov

Highway and Floodplain
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floodplain@cochise.az.gov



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Planning, Zoning and Building Safety Division
Public Programs...Personal Service
www.cochise.az.gov

DATE: October 20, 2016

TO: Cochise County Board of Supervisors

FROM: Paul Esparza, P&Z Director

SUBJECT: Re-appointment of Kim Mulhern to the Cochise County Building Code Advisory and Appeals Board

Recommendation: Staff recommends approval of the re-appointment of Kim Mulhern to the Cochise County Building Code Advisory and Appeals Board (BCAAB).

Background: Ms. Mulhern was appointed to the newly established BCAAB in September 2013 and has served a full three-year term. Her re-appointment would fill the Member-at-Large position with a three-year term due to expire on September 25, 2019. The BCAAB unanimously recommended approval of the re-appointment of Kim Mulhern at their September 2016 board meeting.

The Cochise County Building Code Advisory and Appeals Board was established in September 2013 as a seven-member board to hear and decide appeals of orders, decisions or determinations made by the Building Official regarding application and interpretation of the adopted building codes; to determine the appropriateness of alternative building materials and construction methods and to advise the Building Official and Planning, Zoning and Building Safety Division on proposed revisions or additions to adopted building codes.

Fiscal Impact & Funding Sources: If approved, there will be no fiscal impact.

Next Steps/Action Items/Follow-up: Following a successful appointment, staff will notify Ms. Mulhern of his re-appointment and board meeting schedule.

Impact of Not Approving: Should this item not be approved, the Building Code Advisory and Appeals Board will not fill the Member-at-Large position.

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floodplain@cochise.az.gov



Cochise County
Community Development
Planning, Zoning and Building Safety Division
Public Programs...Personal Service
www.cochise.az.gov

DATE: October 20, 2016

TO: Cochise County Board of Supervisors

FROM: Paul Esparza, P&Z Director

SUBJECT: Re-appointment of Mike Rutherford to the Cochise County Building Code Advisory and Appeals Board

Recommendation: Staff recommends approval of the re-appointment of Mike Rutherford to the Cochise County Building Code Advisory and Appeals Board (BCAAB).

Background: Mr. Rutherford was appointed to the newly established BCAAB in September 2013 and has served a full three-year term. His re-appointment would fill the General Contractor position with a three-year term due to expire on September 25, 2019. The BCAAB unanimously recommended approval of the re-appointment of Mike Rutherford at their September 2016 board meeting.

The Cochise County Building Code Advisory and Appeals Board was established in September 2013 as a seven-member board to hear and decide appeals of orders, decisions or determinations made by the Building Official regarding application and interpretation of the adopted building codes; to determine the appropriateness of alternative building materials and construction methods and to advise the Building Official and Planning, Zoning and Building Safety Division on proposed revisions or additions to adopted building codes.

Mr. Rutherford currently operates Rutherford Diversified Industries and has been an active member on the Building Code Advisory and Appeals Board.

Fiscal Impact & Funding Sources: If approved, there will be no fiscal impact.

Next Steps/Action Items/Follow-up: Following a successful appointment, staff will notify Mr. Rutherford of his re-appointment and board meeting schedule.

Impact of Not Approving: Should this item not be approved, the Building Code Advisory and Appeals Board will remain short a General Contractor board member.

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520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov



FRY FIRE DISTRICT

"Always Willing Always Ready"

July 27, 2016

Dear supervisor Call,

I would like to express my interest as a potential candidate for the Cochise County Board of Appeals Committee. My newly acquired position as the Fry Fire District Fire Marshal puts me in a position where I will be involved with building and fire codes of Cochise County. Although my experience is limited with the codes, I do believe that my demeanor would be a valuable asset to the board, in building positive partnerships between the private and public sector.

Please feel free to contact me with any questions or concerns.

Sincerely,

Ed Shiver

Fire Marshal, Fry Fire District

(520) 559-2318

Regular Board of Supervisors Meeting**Meeting Date:** 11/01/2016

Authorize the Arizona Attorney General's Office to represent Cochise County in 2017 and 2018 tax appeal cases

Submitted By: Sue Blanchard, County Attorney**Department:** County Attorney

Presentation: No A/V Presentation **Recommendation:** Approve

Document Signatures: BOS Signature **# of ORIGINALS** 0
 NOT Required **Submitted for Signature:**

NAME N/A **TITLE** N/A
of PRESENTER: **of PRESENTER:**

Docket Number (If applicable):

Mandated Function?: Not Mandated **Source of Mandate or Basis for Support?:**

Information**Agenda Item Text:**

Authorize the Arizona Attorney General's Office to represent Cochise County in all tax appeal litigation of centrally assessed property for tax years 2017 and 2018, including, but not be limited to cases filed by SolarCity Corp.

Background:

Recommendation: It is recommended that the Board authorize the Arizona Attorney General's Office to represent the County in all centrally assessed property appeals for the 2017 and 2018 tax years.

Background (Brief): Arizona Department of Revenue and individual Counties, where centrally assessed property is located, have been named as Defendants in an appeal filed in the Arizona Tax Court. This is a yearly event and each County named in these suits may choose to authorize the Arizona Attorney General's Office to represent the County in these tax litigations. This procedure has been followed in past years and the County maintains the right to approve/disapprove any proposed settlement. The Arizona Attorney General's Office will also be responsible for any court ordered award of attorney's fees in these cases thereby reducing the exposure of the County in the event of an adverse judgment. **Fiscal Impact & Funding Sources:** Not applicable, no funding sources are required. Fiscal impact may be a slight reduction in the tax base if the taxpayer(s) win their appeal(s).

Department's Next Steps (if approved):

Next Steps/Action Items/Follow-up: Upon approval by the Board, Counsel for the County will write a letter to the Arizona Attorney General's Office authorizing them to defend the County on tax appeals of centrally assessed property, reserving the right to approve/disapprove of any proposed settlement.

Impact of NOT Approving/Alternatives:

Impact of Not Approving: Additional litigation for the County, with the risk that if the Arizona Tax Court would rule in the taxpayer's favor, there would be a reduction of the tax base and the County might be subject to paying the Plaintiff's fees and expenses.

To BOS Staff: Document Disposition/Follow-Up:

Advise County Attorney's Office - Civil Division upon Board's Approval.

Attachments

No file(s) attached.

Regular Board of Supervisors Meeting

Meeting Date: 11/01/2016

Governor's Office Victim Services Grant

Submitted By: Tom Alinen, County Sheriff

Department: County Sheriff

Presentation: No A/V Presentation

Recommendation: Approve

Document Signatures: BOS Signature Required

**# of ORIGINALS
Submitted for Signature:** 2

**NAME
of PRESENTER:** Carol A Capas

**TITLE
of PRESENTER:** Support Services
Supervisor

Mandated Function?: Federal or State Mandate

**Source of Mandate
or Basis for Support?:** 13-4405 & 8-388

You will use this Agenda Item template if your item involves a Grant (whether a new or renewal grant). You also must attach the Grant Approval Form to the item before Finance will approve it. Select the SPECIAL LINKS on your left-hand menu and Click on "Grant Approval Form". Then complete the form, save it and attach it to your item (on the Attachments tab).

Information

Agenda Item Text:

Approve grant agreement 2017-043 with the Arizona Attorney General's Office in the amount of \$15,093 for the continuation of funding assistance for personnel who perform Victim Rights services for the Sheriff's Office for the period of July 1, 2016 to June 30, 2017.

Background:

The Cochise County Sheriff's Office has applied for and been the recipient of grant funding from the State of Arizona Office of the Attorney General for the past twenty years. The funding has been sought to help pay the salary and benefits for a Victim Rights Clerk within the Sheriff's Office. This position is responsible for providing statutorily mandated services to crime victims within Cochise County and our service levels would not be as successful without the Attorney General funding.

Department's Next Steps (if approved):

The Cochise County Sheriff's Office will continue to utilize the funds received from the Arizona Attorney General to allow personnel to provide services that include Victim contact by phone, email, US mail in order to relay pertinent information regarding their case. The information provided is mandated by Arizona State law and allows for open communication between law enforcement, courts, and the victim in instances of a crime being perpetrated against them.

The final document for acceptance of this funding is in a signature page that must be signed by the Cochise County Attorney and the Board of Supervisors prior to any money being received.

Impact of NOT Approving/Alternatives:

If this document is not signed and the grant is not approved, additional funds must be located within the Cochise County General Fund to keep a staff position filled at full time.

To BOS Staff: Document Disposition/Follow-Up:

Please send two signed originals back to the Cochise County Sheriff's Office, Attention Victim Rights for proper completion of the process and allowance for funding to be received from the state.

Budget Information

Information about available funds

Budgeted: ☐
Unbudgeted: ☐

Funds Available: ☐
Funds NOT Available: ☐

Amount Available:
Amendment: ☐

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

Agreement



State of Arizona
Office of the Attorney General
FY 2017 Victims' Rights Program
AWARD AGREEMENT
A.G. #: 2017-043

RECIPIENT

Name:	Cochise County Sheriff's Department
Contact:	Luisa Sin
Address:	205 North Judd Drive, Bisbee, AZ. 85603
Award Amount:	\$15,100.00
Purpose:	To support the direct costs of implementing victims' rights laws pursuant to those provisions of Arizona Revised Statutes Title 13, Chapter 40 and Title 8, Chapter 3, Article 7 impacting Sheriff's Department as an entity type.

Monies having been deposited and received by the Attorney General pursuant to Arizona Revised Statutes § 41-2401, § 8-418 and legislative appropriations, this AGREEMENT is made under the authority of the Attorney General pursuant to Arizona Revised Statutes § 41-191.08 -- Victims' Rights Fund.

This AGREEMENT is made this first day of July 2016, by and between the Arizona Attorney General, and the Cochise County Sheriff's Department, the "Contractor", to commence on July 1, 2016 and terminate June 30, 2017. The Attorney General, having been satisfied as to the qualifications of Contractor, agrees to pay Contractor the above shown \$15,100.00 subject to Contractor's agreement as follows:

I. The Contractor agrees:

- A. Award funds will not be used to supplant state, local and federal funds that would otherwise be available to provide services to victims of crime as mandated by A.R.S. Title 13, Chapter 40 and Title 8, Chapter 3, Article 7
- B. Award funds will be used only for allowable costs that can be proven necessary and essential to effect the direct provision or performance of those statutorily mandated victims' rights duties (services), as described in the *Victims' Rights Program Guidelines - Section IV Allowable and Non-Allowable Costs*, and as specified in Contractor's approved \$15,100.00 award budget as follows:

Personnel: \$10,157.00 ERE/Benefits: \$4,943.00
Title: Records Lead Analyst (1) Percent: 40%
Consulting: \$0.00
Operating: \$0.00
Equipment: \$0.00
- C. To complete and submit, on or before August 11, 2017, an annual report to the Attorney General as prescribed in A.R.S. § 41-191.08(F).
- D. To comply with FY 2017 Victims' Rights Program Guidelines, as well as the applicable provisions of A.R.S. Title 13, Chapter 40 and A.R.S. Title 8, Chapter 3, Article 7.
- E. To allow (a) representative(s) of the Attorney General to complete program and financial audits as the Attorney General believes necessary to ensure Contractor compliance with this agreement and with State law.
- F. To retain all records relating to the agreement, and performance under the agreement, for a period of five years after the completion of the project, and to allow inspection and audit of all such documents at reasonable times, pursuant to A.R.S. §§ 35-214 and 35-315.
- G. To comply with all applicable nondiscrimination requirements of A.R.S. § 41-1463, Arizona State Executive Order 2009-09, and all other applicable state and federal civil rights laws.
- H. Each party hereby warrants its compliance with all federal immigration laws and regulations that relate to its employees and A.R.S. § 23-214(A). If either party uses any subcontractors in performance of this contract, subcontractors shall warrant their compliance with all federal immigration laws and regulations that relate to its employees and A.R.S. § 23-214(A). A breach of this warranty shall be deemed a material breach of the contract subject to penalties up to and including termination of this contract. Each party retains the legal right to inspect the papers of the other party and its subcontractors who work on the contract to ensure that the other or subcontractors are complying with this warranty.
- I. To retain ownership interest in all equipment acquired with VRP funds (or in the proceeds resulting from the sale of such equipment) provided that: (1) the equipment purchase was not in violation of the VRP Award Agreement; and (2) the useful life of the equipment in question has not elapsed.

II. It is further agreed between the parties as follows:

- A. To use arbitration in the event of disputes to the extent required by A.R.S. § 12-1518.
- B. Except as provided in paragraph C below, if the Attorney General finds that the Contractor has not complied with the requirements of this agreement, the Contractor will receive a notice which identifies the area(s) of non-compliance and the appropriate corrective action to be taken. If the Contractor does not respond within thirty calendar days to this notice, or does not provide sufficient information concerning the steps which are being taken to correct the problem, the Attorney General may terminate the contract and require the return of all funds which are found to have been spent in violation of this agreement.
- C. The parties agree to meet and confer in good faith to resolve disputes before commencing formal proceedings of any nature.
- D. The Attorney General may reduce or discontinue funding to the Contractor in subsequent fiscal years, at the Attorney General's discretion, for the Contractor's failure to complete and submit, on or before August 11, 2017, the report that is required pursuant to A.R.S. § 41-191.08(F) or for other reasons such as available funding.
- E. Every payment obligation of the Attorney General under this Agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligation. If funds are not allocated and available for the continuance of this Agreement, this Agreement may be terminated by the Attorney General at the end of the period for which funds are available. No liability shall accrue to the Attorney General in the event this provision is exercised, and the Attorney General shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph.
- F. Any and all award funds not expended by June 30, 2017, will be returned to the Attorney General.
- G. This agreement is subject to cancellation pursuant to A.R.S. § 38-511.

IN WITNESS WHEREOF, the parties have made and executed this AGREEMENT on the day and year first above written.

FOR THE ATTORNEY GENERAL:

Jerry Connolly, Procurement Manager

Date:

FOR THE CONTRACTOR:

Authorized Signature

Date:

Printed Name and Title

ATTEST:

APPROVED AS TO FORM:

Clerk of the Governing Board (if applicable)

Date:

Legal Counsel (if applicable)

Date:

Court Administration

Regular Board of Supervisors Meeting

Meeting Date: 11/01/2016

Grant Approval for National Adoption Day Celebration

Submitted By: Andrea Kelley, Court Administration

Department: Court Administration

Presentation: No A/V Presentation

Recommendation: Approve

Document Signatures: BOS Signature NOT
Required# of ORIGINALS 0
Submitted for Signature:NAME Eric Silverberg
of PRESENTER:TITLE Court Administrator
of PRESENTER:

Mandated Function?: Not Mandated

Source of Mandate
or Basis for Support?:

You will use this Agenda Item template if your item involves a Grant (whether a new or renewal grant). You also must attach the Grant Approval Form to the item before Finance will approve it. Select the SPECIAL LINKS on your left-hand menu and Click on "Grant Approval Form". Then complete the form, save it and attach it to your item (on the Attachments tab).

Information

Agenda Item Text:

Approve a grant from First Things First to support National Adoption Day in Cochise County in the amount of \$2,000.

Background:

This grant will support the National Adoption Day celebration on November 18th, 2016 and will cover a significant portion of the expenses.

Department's Next Steps (if approved):

Utilize funds as set forth by the grant.

Impact of NOT Approving/Alternatives:

We would need to try and reduce our expenses and rely more on general funds to support the project.

To BOS Staff: Document Disposition/Follow-Up:

Please notify the Court Administrator once approved.

Budget Information

Information about available funds

Budgeted: ☐Funds Available: ☐

Amount Available:

Unbudgeted: ☐Funds NOT Available: ☐Amendment: ☐

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

Award Letter



Cochise Regional Partnership Council

77 Calle Portal, Suite B140, Sierra Vista, Arizona 85635

520.378.3280 | 877.803.7234 | azftf.gov

Chair

Thomas Reardon

Vice Chair

Laura Killberg

Members

Danielle Brownrigg

Chuck Hoyack

Peter Huisking

Dr. Darlene Melk

Anthony Reed

Bp. Tommy Simpson

Dr. Kathleen Vedock

Nancy-Jean Welker

Regional Director

Melissa Avant

October 20, 2016

Eric Silverberg

Court Administrator

PO Box 204

Bisbee, Arizona 85603

Dear Mr. Silverberg:

Congratulations, your sponsorship request of \$2,000 for the Annual National Adoption Day was approved by the Cochise Regional Partnership Council! Please remember to fill out the Event Outcome page in the application within 30 days with a detailed summary and outcome of the event.

You will be hearing from our Procurement Division (Michelle Carmichael) regarding invoice and payment.

Please feel free to contact me with questions or concerns. Again congratulations and look forward to a continued partnership year round with Cochise County Court Administration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melissa A. Avant', is enclosed in a thin black rectangular border.

Melissa A. Avant

Regional Director

Court Administration

Regular Board of Supervisors Meeting

Meeting Date: 11/01/2016

Approve Proclamation: Declare 11/18/16 National Adoption Day

Submitted By: Andrea Kelley, Court Administration

Department: Court Administration

Presentation: No A/V Presentation

Document Signatures:

Recommendation:

of ORIGINALS

Submitted for Signature:

NAME n/a

TITLE n/a

of PRESENTER:

of PRESENTER:

Mandated Function?:

Source of Mandate
or Basis for Support?:

Information

Agenda Item Text:

Approve a Proclamation declaring November 18, 2016 National Adoption Day in Cochise County.

Background:

Cochise County's proclamation attached.

Department's Next Steps (if approved):

File Cochise County's Proclamation.

Impact of NOT Approving/Alternatives:

n/a

To BOS Staff: Document Disposition/Follow-Up:

n/a

Budget Information

*Information about available funds*Budgeted: ☐Funds Available: ☐

Amount Available:

Unbudgeted: ☐Funds NOT Available: ☐Amendment: ☐

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

Adoption Day Proclamation



Cochise County Board of Supervisors

Public Programs...Personal Service
www.cochise.az.gov

RICHARD R. SEARLE
Chairman
District 3

PATRICK G. CALL
Vice-Chairman
District 1

ANN ENGLISH
Supervisor
District 2

JAMES E. VLAHOVICH
County Administrator

EDWARD T. GILLIGAN
Deputy County Administrator

ARLETHE G. RIOS
Clerk of the Board

PROCLAMATION

National Adoption Day

WHEREAS, Cochise County recognizes the importance of helping children find permanent, safe, and loving families through adoption; and

WHEREAS, more than 400,000 children in the United States foster care system are waiting to be adopted; and

WHEREAS, outreach to adoptive families has been identified as a critical step in moving children more quickly out of foster care and into loving, permanent homes; and

WHEREAS, in recognition of these children and their families, the Cochise County Superior Court celebrates National Adoption Day on November 18, 2016 and the parents who welcome these children into their families;

WHEREAS, this effort, along with similar celebrations across the country, will offer children a chance to live with stable and loving families and encourage other adults to consider making a powerful difference in the life of a child through adoption;

NOW, THEREFORE, we, The Cochise County Board of Supervisors, do hereby declare November 18, 2016 as National Adoption Day in Cochise County and encourage Mayors/Councils of our cities to do the same.

APPROVED AND ADOPTED this 1st day of November, 2016.

Richard R. Searle, Chairman

Patrick G. Call, Vice-Chairman

Ann English, Supervisor

Regular Board of Supervisors Meeting**Elections and Special Districts****Meeting Date:** 11/01/2016

Cancel Uncontested Special District Elections & Appoint

Submitted By: Arlethe Rios, Board of Supervisors**Department:** Elections & Special Districts**Presentation:** No A/V **Recommendation:** Approve
Presentation**Document Signatures:** BOS Signature **# of ORIGINALS** 0
NOT Required **Submitted for Signature:****NAME** n/a **TITLE** n/a
of PRESENTER: **of PRESENTER:****Docket Number (If applicable):****Mandated Function?:** Federal or State **Source of Mandate** A.R.S. 16-410
Mandate **or Basis for Support?:****Information****Agenda Item Text:**

Approve the cancellation of uncontested board elections for Special District governing boards listed on Appendix A-C, and appoint the candidates who filed for the Special District governing board as indicated, or declare seats vacant if an insufficient number of candidates – or no candidates – filed to run to fill the vacant seats, and cancel the election and appoint Tom Schelling as administrator for Bowie and Babocomari Fire Districts, as indicated on Appendix A; such appointments shall be deemed elected and have the same powers and duties in accordance with the law.

Background:

The Board is being asked to cancel the uncontested Special District governing board elections for the November 8, 2016 General Election.

A.R.S. §16-410 allows that if the number of persons who file nomination petitions plus the number of persons who file write-in affidavits is less than or equal to the number of positions to be filled for a special district election, the Board of Supervisors may cancel the election and appoint the person or persons to fill the vacant position(s) for the term of office for which the candidate was nominated. Doing so spares the district board of the expense from conducting an uncontested election.

Candidate(s) who filed by August 10, 2016 and Write-In candidates who filed by August 24, 2016 will be appointed by the Board of Supervisors and will have the same powers and duties as if elected. If no nomination petitions or write-in affidavits were filed, the position will be deemed vacant to be filled as otherwise provided by law. In the case of the Babocomari Fire District and the Bowie Fire District, the elections will be cancelled and an administrator appointed, pursuant to A.R.S. §48-803(B). Mr. Tom Schelling, former Elections & Special Districts Director, is willing and available to serve as administrator for these two districts and will only serve in Bowie long enough to appoint interested Board members for that board in his capacity as administrator.

Pertinent sections authorizing cancellation and appointments are attached for your perusal (Appendix D). These include:

- **Fire Districts:** A.R.S. §48-802(D)(4) [fire districts – cancel and appoint or cancel and deem vacant] and §48-803(B) [fire districts – cancel and appoint an administrator]
- **Water Districts:**

- **Fire Districts:** A.R.S. §48-1012(E) [domestic water improvement districts – cancel and appoint or cancel and deem vacant]
- **Sanitary Districts:** A.R.S. §48-2010(A)(3) [sanitary district -- cancel and appoint or cancel and deem vacant]
- **Road Improvement and Maintenance Districts:** A.R.S. §48-1082(E) – cancel and appoint or cancel and deem vacant]
- **Hospital Districts:** A.R.S. §48-1908(C) – cancel and appoint or cancel and deem vacant]

Department's Next Steps (if approved):

Certificates of Election will be sent to those candidates who filed timely nomination petitions or write-in papers as listed on Appendices A-C and Mr. Schelling will be notified of his appointment as administrator for Bowie Fire District and for Babocomari Fire District.

Impact of NOT Approving/Alternatives:

Positions will remain vacant.

To BOS Staff: Document Disposition/Follow-Up:

N/A - Please notify Elections of outcome of BOS action.
Thank you,

Attachments

Appdx_A_FireDistricts

Appdx_B Special Districts

Appdx_C_Water Districts

Appdx_D_PertinentStatutes

SPECIAL DISTRICTS GOVERNING BOARD CANDIDATES 2016

FIRE DISTRICTS as of August 24, 2016

Candidate Name	Number to Elect	Candidates who filed by Aug 10th A.R.S. 16-311.B	Write-In Candidates who filed by Aug 24th. A.R.S. 16-312.B(2)	Cancel Election and appoint candidates who filed. A.R.S. 48-802.D(4)	Cancel Election, appoint candidates who filed, declared remaining seats vacant. A.R.S. 48-802.D(4)	Cancel Election, open seats declared vacant A.R.S. 48-802.D(4) and A.R.S. 16-410.C	Cancel Election, appoint administrator A.R.S. 48-803.B
BABOCOMARI FIRE DISTRICT	3	0					X
NONE							
BOWIE FIRE DISTRICT	2	0					X
NONE							
ELFRIDA FIRE DISTRICT	2	2		X			
Lima-Forester, Linda							
Garcia, Alma							
FRY FIRE DISTRICT	2	2		X			
Huish, Joseph							
Tucker, Thomas E.							
MESCAL-J6 FIRE DISTRICT	2		2	X			
Dupee, Suzanne "Sue"							
Kieley, Owen C.							
NACO FIRE DISTRICT	1	1		X			
Garcia, Joe X.							

Candidate Name	Number to Elect	Candidates who filed by Aug 10th A.R.S. 16-311.B	Write-In Candidates who filed by Aug 24th. A.R.S. 16-312.B(2)	Cancel Election and appoint candidates who filed. A.R.S. 48-802.D(4)	Cancel Election, appoint candidates who filed, declared remaining seats vacant. A.R.S. 48-802.D(4)	Cancel Election, open seats declared vacant A.R.S. 48-802.D(4) and A.R.S. 16-410.C	Cancel Election, appoint administrator A.R.S. 48-803.B
PALOMINAS FIRE DISTRICT	2	2		X			
Chouinard, Cathy							
Walker, David B.							
PIRTLEVILLE FIRE DISTRICT	1	0				X	
NONE							
POMERENE FIRE DISTRICT	1	0				X	
NONE							
SAN JOSE FIRE DISTRICT	1	1		X			
Shuck, Toni							
SAN SIMON FIRE DISTRICT	1	0				X	
NONE							
ST. DAVID FIRE DISTRICT	2	0				X	
NONE							
SUNNYSIDE FIRE DISTRICT	1	1		X			
Rivera, ,Hector							

Candidate Name	Number to Elect	Candidates who filed by Aug 10th A.R.S. 16-311.B	Write-In Candidates who filed by Aug 24th. A.R.S. 16-312.B(2)	Cancel Election and appoint candidates who filed. A.R.S. 48-802.D(4)	Cancel Election, appoint candidates who filed, declared remaining seats vacant. A.R.S. 48-802.D(4)	Cancel Election, open seats declared vacant A.R.S. 48-802.D(4) and A.R.S. 16-410.C	Cancel Election, appoint administrator A.R.S. 48-803.B
SUNSITES/PEARCE FIRE DIST.		1			X		
Koester, Albert E.	2						
WHETSTONE FIRE DISTRICT	3	2			X		
Chapman, Bobby Lee							
Leffler, Kenneth							

SPECIAL DISTRICTS GOVERNING BOARD CANDIDATES 2016

SANITARY DISTRICT as of August 24, 2016

Candidate Name	NTE	Candidates who filed by Aug 10th. A.R.S. 16-311.B	Write-In Candidates who filed by Aug 24th. A.R.S. 16-312.B(2)	Cancel Election and appoint candidates who filed.	Cancel Election, appoint candidates who filed, declared remaining seats vacant. A.R.S. 48-2010.A(3)	Cancel Election, open seats declared vacant	Cancel Election, appoint administrator
NAGO SANITARY DISTRICT	2	1			X		
Artista, Jesus R.							

RIMD DISTRICT

Candidate Name	NTE	Candidates who filed by Aug 10th. A.R.S. 16-311.B	Write-In Candidates who filed by Aug 24th. A.R.S. 16-312.B(2)	Cancel Election and appoint candidates who filed. A.R.S. 48-1082.E	Cancel Election, appoint candidates who filed, declared remaining seats vacant.	Cancel Election, open seats declared vacant	Cancel Election, appoint administrator
FAIRFIELD ESTATES RIMD	3	3		X			
Nylander, Hal R.							
Townsend, Fredrick C.							
Yeski, David F.							
HIGH KNOLL RANCHES RIMD	2	2		X			
Chaffin, Stanley C.							
Warren, Jennifer K.							

HOSPITAL DISTRICTS

Candidate Name	NTE	Candidates who filed by Aug 10th. A.R.S. 16-311.B	Write-In Candidates who filed by Aug 24th. A.R.S. 16-312.B(2)	Cancel Election and appoint candidates who filed. A.R.S. 48-1908.C	Cancel Election, appoint candidates who filed, declared remaining seats vacant.	Cancel Election, open seats declared vacant A.R.S. 48-1908.C	Cancel Election, appoint administrator
NORTHERN COCHISE COMM	2	0				X	
NONE							
SAN PEDRO VALLEY HOSP.	3	3		X			
Bernal, William M.							
Chavez, Jose Steve							
De La Torre, Angel B.							

SPECIAL DISTRICTS GOVERNING BOARD CANDIDATES 2016
WATER DISTRICTS as of August 24, 2016

Candidate Name	Num ber to Elect	Candidates who filed by Aug 10th A.R.S. 16-311.B	Write-In Candidates who filed by Aug 24th A.R.S. 16-312.B(2)	Cancel Election and appoint candidates who filed A.R.S. 48- 1012.E	Cancel Election, appoint candidates who filed, declared remaining seats vacant	Cancel Election, open seats declared vacant A.R.S. 16-410.C and A.R.S. 48- 1012.E	Cancel Election, appoint administrator
BOWIE WATER IMPROVEMENT	2	2		X			
Redman, Jennie							
Welker, Nancy-Jean "NJ"							
ELFRIDA WATER IMPROVEMENT	2	1			X		
Hedges, Dale							
POMERENE WATER DIST.	3		2		X		
East, Ellis S.							
Judd, Alan B.							
ST. DAVID WATER DIST	2	0				X	
NONE							
SAN PEDRO DOMESTIC WATER D	1	No registered voters in Cochise County				X	

Candidate Name	Number to Elect	Candidates who filed by Aug 10th A.R.S. 16-311.B	Write-In Candidates who filed by Aug 24th A.R.S. 16-312.B(2)	Cancel Election and appoint candidates who filed A.R.S. 48-1012.E	Cancel Election, appoint candidates who filed, declared remaining seats vacant A.R.S. 48-1012.E	Cancel Election, open seats declared vacant A.R.S. 16-410.C and A.R.S. 48-1012.E	Cancel Election, appoint administrator
SAN SIMON WATER DIST.	1	0				X	
NONE							
WELLSPRING WATER DISTRICT	1	0				X	
NONE							
WHETSTONE WATER DIST	2	4					
Barrett, James Mike							
Dooley, Joe P.			ELECTION TO BE HELD				
Ennis, Tony							
Phelps, Dale S.							

FIRE DISTRICT

ARS TITLE PAGE NEXT DOCUMENT PREVIOUS DOCUMENT

48-802. Election procedures; qualifications

A. All elections held pursuant to this article shall conform to the requirements of this section.

B. Except as otherwise provided in this article, the manner of conducting and voting at an election, contesting an election, keeping poll lists, canvassing votes and certifying returns shall be the same, as nearly as practicable, as in elections for county officers. After consultation with the officer in charge of elections, a fire district may divide itself into precincts. To the extent practicable, the precincts shall be equal or as nearly equal in population and shall conform to the boundaries of precincts adopted by the board of supervisors of the county. The fire district shall thereafter conduct its elections using those precincts.

C. No person may vote at the election other than a qualified elector of this state who has registered to vote at least twenty-nine days before the election as a resident within the district boundaries, proposed district boundaries created by the merger of fire districts or the proposed district boundaries created by a consolidated district. A person offering to vote at a fire district election for which no fire district register has been supplied shall sign an affidavit stating the person's address and the fire district in which the person resides and swearing the person is qualified to vote and has not voted at the fire district election being held. A person offering to vote at a fire district election for which a fire district register has been supplied shall proceed as required for voting at any election at which precinct registers are used.

D. In elections for district board members:

1. The person or persons within the district or precinct, as applicable, receiving the highest number of votes shall be declared elected.

2. Candidates must be, and during incumbency must remain, qualified electors of the fire district and, except for a district formed pursuant to article 3 of this chapter, must be a resident of the district for at least one year immediately preceding the date of the election. In a fire district that is divided into precincts as prescribed by subsection B of this section, candidates shall be qualified electors of the precinct in which they are candidates and during incumbency must remain qualified electors of that precinct. Except for a district formed pursuant to article 3 of this chapter, a person is not eligible to be a candidate for election to the fire district board if that person is related by affinity or consanguinity within the third degree to a person who serves on the board during the potential candidate's term of office. Any person who violates this paragraph is not eligible to serve on the board.

3. Elections, other than special elections to fill a vacancy or elections to merge or dissolve fire districts, shall be held on the first Tuesday after the first Monday in November of the first even numbered year following the year the district is declared organized by the board of supervisors and every two years thereafter on the first Tuesday after the first Monday in November.

4. Except for an election to reorganize a fire district, nominating petitions shall be filed with the board of supervisors as prescribed by title 16, chapter 3. If only one person files or no person files a nominating petition for an election to fill a position on the district board for which the term of office is to expire, the board of supervisors may cancel the election for that position and appoint the person who filed the nominating petition to fill the position. If no person files a nominating petition for an election to fill a district office, the board of supervisors may cancel the election for those offices and those offices are deemed vacant and shall be filled as otherwise provided by law. A person who is appointed pursuant to this paragraph is fully vested with the powers and duties of the office as if elected to that office.

5. Except for a district organized pursuant to article 3 of this chapter, for an election to reorganize a fire district, any person seeking election to the governing body that would be formed or expanded if the reorganization is approved shall comply with the nomination requirements for a candidate as prescribed by title 16, chapter 3, including filing a nomination paper and nomination petition to appear as a candidate on the reorganization election ballot.

6. The names of all nominated persons for office within the district or precinct, as applicable, shall appear on the ballot without partisan designation.

E. In an election to reorganize, notice of the appropriate order of the board of supervisors or governing body of the district shall be given as prescribed by title 16, chapter 2.

F. In an election to merge fire districts, notice of the appropriate order of the board of supervisors shall be given as prescribed by title 16, chapter 2. In addition, notice of the election with an accurate map of the territory proposed to be merged shall be sent by first class mail to each owner of property that would be subject to taxation by the merged district at least sixty days before the election. An order to hold an election shall be issued not more than thirty days after the receipt of the resolution to merge fire districts pursuant to section 48-820.

G. In an election to consolidate fire districts, notice of the appropriate order of the board of supervisors shall be given as prescribed by title 16, chapter 2. In addition, notice of the election with an accurate map of the territory proposed to be consolidated shall be sent by first class mail to each owner of property that would be subject to taxation by the consolidated district at least sixty days before the election. An order to hold an election shall be issued not more than thirty days after the receipt of the resolution to consolidate fire districts pursuant to section 48-822.

FIRE DISTRICT - ADMINISTRATOR

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48-803. District administered by a district board; report

A. In a district that the board of supervisors estimates has a population of fewer than four thousand inhabitants, the district board may consist of three or five members. In a district that the board of supervisors estimates has a population of four thousand or more inhabitants, the district board shall consist of five members, and for a noncontiguous county island fire district formed pursuant to section 48-851, the board shall consist of five members. The estimate of population by the board of supervisors is conclusive and shall be based on available census information, school attendance statistics, election or voter registration statistics, estimates provided by state agencies or the county assessor, or other information as deemed appropriate by the board of supervisors. If the board of supervisors determines, at any time prior to one hundred twenty days before the next regular scheduled election for members of a district board, that the population of a fire district administered by a district board consisting of three members exceeds four thousand inhabitants, estimated as provided in this section, the board of supervisors shall order an increase in the number of members of the district board. If the board of supervisors determines at any time prior to one hundred eighty days before the next regularly scheduled election for members of a district board that the population of a fire district administered by a district board that consists of five members exceeds fifty thousand inhabitants as prescribed in this section, the board of supervisors shall inform the district board that it may expand to seven members. Any expansion to seven members shall occur by majority vote of the district board. The increase is effective for the election of the additional members at the next regular election of members of the district board.

B. If a vacancy occurs on the district board other than from expiration of a term, a quorum of the board members shall fill the vacancy by appointment of an interim member and except for a district formed pursuant to article 3 of this chapter, a quorum of the board members shall fill the vacancy within ninety days after the date the vacancy occurs. Except for a district formed pursuant to article 3 of this chapter, if the quorum of district board members do not appoint an interim member within that ninety-day period, the board of supervisors shall appoint an interim member to the district board within sixty days after expiration of the ninety-day period, and if the district is located in more than one county, the board of supervisors of the county in which the majority of the assessed valuation of the district is located shall make the appointment after the expiration of the ninety-day period. If the entire board resigns or for any reason cannot fulfill its duties, or does not have remaining board members sufficient to constitute a quorum of the board, the board of supervisors shall appoint interim district board members to fill the vacancies, or an administrator to administer the district with the same duties and obligations of the elected board to serve until the next election. A majority of the board constitutes a quorum for the transaction of business.

C. Members of the district board shall serve without compensation, but may be reimbursed for actual expenses incurred in performing duties required by law.

D. The board of a fire district shall appoint or hire a fire chief.

E. The district board shall elect from its members a chairman and a clerk. Except for a district formed pursuant to article 3 of this chapter, the election of the chairman and the clerk must occur at the district board meeting that first occurs in the month immediately following each general election.

F. For districts formed under article 3 of this chapter, of the members first elected to district boards consisting of three members, the two people receiving the first and second highest number of votes shall be elected to four-year terms, and the person receiving the third highest number of votes shall be elected to a two-year term. Of the members first elected to district boards consisting of five members, the three people receiving the first, second and third highest number of votes shall be elected to four-year terms, and the two people receiving the fourth and fifth highest number of votes shall be elected to two-year terms. Thereafter, the term of office of each district board member shall be four years from the first day of the month next following such member's election. Of the members elected as additional members to a five-member district board, the person with the highest number of votes is elected to a four-year term and the person with the second highest number of votes is elected

to a two-year term. If a district resolves to increase the governing board to seven members pursuant to subsection A of this section, the governing board may appoint two additional members to serve until the next general election. After the general election at which the two additional members are elected, the newly elected member with the highest number of votes serves a four-year term and the other member serves a two-year term. Thereafter, the term of office for these two new members is four years.

G. For any fire district that is administered by a three-member board and that levies taxes in a fiscal year in the amount of five hundred thousand dollars or more, the district must be administered by a five-member board. Beginning with the first general election held after the end of the fiscal year in which the district levied the prescribed amount, the change to a five-member board must occur as prescribed in this subsection. On levying the prescribed amount, the district may not reorganize as a three-member board regardless of any subsequent change in the district's levy. For three-person boards with a single vacancy for an existing board membership position and that are adding two additional members, the three persons with the highest number of votes are elected to a four-year term of office. For three-person boards with two vacancies for existing board membership positions and that are adding two additional members, the three persons with the first, second and third highest numbers of votes are elected to four-year terms of office and the person with the fourth highest number of votes is elected to a two-year term of office. Thereafter, all terms of office for members of these five-person boards of directors must be four years. This subsection applies to any three-member board that is expanding to a five-member board, regardless of whether the expansion is the result of the amount of the district's levy. This subsection does not apply to districts formed under article 3 of this chapter.

H. Beginning with the 2014 general election and except for a district formed pursuant to article 3 of this chapter, all persons who are elected or appointed to a fire district board and the fire chief who is appointed or hired by the district board shall attend professional development training that is provided by an association of Arizona fire districts. District board members and the fire chief shall complete at least six hours of professional development training, with board members completing their training within one year after the date of the certification of their election and for the fire chief, within one year after the date of hiring. The fire district shall reimburse board members and the fire chief for the reasonable costs of the training. The professional development training must include training on open meetings laws, finance and budget matters and laws relating to fire district governance and other matters that are reasonably necessary for the effective administration of a fire district.

I. On or before December 31 of each year, the fire district association that has provided training required pursuant to subsection H of this section shall submit a report that lists the elected officials and fire chiefs who attended the training to the county board of supervisors for every county in which the fire district operates. The annual report must include at least the following:

1. A compilation of the professional development training delivered by the association pursuant to this section and the names of the fire district board members and fire chiefs who attended training as required by this section.
2. Recommendations regarding improvements to the laws of this state or to administrative actions that are required under the laws of this state pertaining to fire districts.

J. For fire district governing board members and fire chiefs who are required to attend professional development training pursuant to subsection H of this section, a fire district governing board member or fire chief who fails to complete the professional development training within the time prescribed in this section is guilty of nonfeasance in office. Any person may make a formal complaint to the county board of supervisors regarding this failure to comply, and the county board of supervisors may submit the complaint to the county attorney for possible action. The county attorney may take appropriate action to achieve compliance, including filing an action in superior court against a fire district governing board member or a fire chief for failure to comply with the professional development training requirements prescribed in this section. If the court determines that a fire district governing board member or fire chief failed to comply with the professional development training requirements prescribed in this section, the court shall issue an order removing the fire district

governing board member from office or the fire chief from employment or appointment with the district. Any vacancy in the office of a fire district governing board as a result of a court order that is issued pursuant to this subsection must be filled in the manner provided by law.

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48-1012. Elected board of directors; initial members; qualifications; terms; filling vacancy; chairperson; reorganization; qualifications of electors

A. At the option of the board of supervisors after presentation of a petition requesting the establishment of a domestic water improvement district or a domestic wastewater improvement district, or on the submission of a separate petition following the establishment of an improvement district as prescribed by section 48-903, and subsequent to the approval of the county board of supervisors, the district shall be governed by an elected board of directors. The elected board shall consist of the number of members, not less than three, specified in the petition for establishment of the district. The first directors of such board shall be selected by the board of supervisors at the time the district is established. Members of the board of directors shall be qualified electors of the district and, after the members first appointed by the board of supervisors, shall be elected by the qualified electors of the district.

B. Immediately after the selection and qualification of the first directors of the board, the directors shall meet and divide themselves by lot into two classes as nearly equal in number as possible. Directors of the first class shall serve for a term of four years, and directors of the second class shall serve for a term of two years. Every director shall continue to discharge the duties of office until a successor is appointed and qualifies. Thereafter, at each regular election, one director for each expired term shall be elected and shall hold office for a term of four years, and until a successor is elected and qualifies. The dates of elections and of expiration of terms shall be specified in the petition for establishment of the district.

C. If a vacancy in the district board occurs due to death or disability or any other cause other than resignation, the board of directors of the district shall appoint a qualified elector of the district to fill the office for the remaining portion of that term. If there is a vacancy in the district board due to resignation, the district board shall accept the resignation and appoint a qualified elector to fill the remaining portion of that term of office. If the district board lacks a quorum for any reason for more than thirty days, the county board of supervisors may revoke the authority of the appointed or elected board of directors pursuant to section 48-1016.

D. The board of directors shall annually elect a chairperson from among its members.

E. If only one person files or no person files a nominating petition for election to fill a position on the board of directors of the district, the county board of supervisors, by resolution, may cancel the election for that office and appoint the person who filed the nominating petition to fill that position. If no person files a nominating petition for an election to fill a district board office, the county board of supervisors, by resolution, may cancel the election for those offices and those offices are deemed vacant and shall be filled as otherwise provided by law. A person who is appointed pursuant to this section is fully vested with the powers and duties of the office as if elected to that office.

F. The board of supervisors shall make an order calling an election to decide whether to reorganize a domestic water improvement district that has a board consisting of three members as a domestic water improvement district that has a board consisting of five members when a petition containing the signatures of twenty-five percent of the qualified electors residing within the district and requesting that the district be reorganized is filed with the board except the board of supervisors may not call for a reorganization election to expand the number of directors on the district board more frequently than once every two years. The election may be held on any consolidated election date as prescribed in section 16-204. The domestic water improvement district shall reimburse the county for the expenses of the district election. The board of supervisors shall give notice of the election by posting copies of the order of election in three public places within the district not less than twenty days before the date of the election and if a newspaper is published within the county having a general circulation within the district, the order shall be published in the newspaper not less than once a week during each of the three calendar weeks preceding the calendar week of the election. The ballot for the election shall state "shall the current three-member domestic water improvement district board be reorganized to a five-member board - yes or no". The ballot shall also allow each elector to indicate the elector's choice for two additional board members in the event of reorganization. Within twenty days after the election, the board of supervisors shall meet and

canvass the returns, and if it is determined that a majority of the votes cast at the election were in favor of reorganizing the domestic water improvement district as a district with a five-member board, the board shall enter that fact on its minutes, declare the district duly reorganized and announce the names of those elected to the district board.

G. For the purposes of either a domestic water improvement district or a domestic wastewater improvement district that is organized pursuant to this article and that serves at the time of organization a population of ten thousand persons or less, in addition to any other qualified elector of the district, any natural person who is a qualified elector of this state and who is a real property owner within the district is eligible to vote in a district election without regard to that person's residency and shall be deemed a qualified elector of the district for purposes of service on the board of directors.

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48-2010. Board of directors; qualifications; term; appointment; election; conversion; reorganization; compensation; expenses

A. A sanitary district having an area of one hundred sixty acres or more shall be governed by a board of directors with not less than three members. Members of the board of directors shall be qualified electors of the district. Immediately after the first regular election held subsequent to the enactment of this section by a sanitary district organized and existing prior to such enactment, the directors shall meet and divide themselves by lot into two classes as nearly equal in number as possible. Directors of the first class shall serve for a term of four years, and directors of the second class for a term of two years, and until the directors' successors are elected and qualified.

Thereafter at each regular election one director for each expired term shall be elected, and shall hold office for a term of four years, and until the director's successor is elected and qualified. The dates of elections and of expiration of terms of the initial directors shall be specified in the petition for establishment of the district. Except for an election to reorganize a sanitary district, candidates for directors shall file nominating petitions with the board of supervisors as prescribed by title 16, chapter

3. If only one person files or no person files a nominating petition for an election to fill a district office, the board of supervisors may cancel the election for the position and appoint the person who filed the nominating petition to fill the position. If no person files a nominating petition for an election to fill a district office, the board of supervisors may cancel the election for that office and that office is deemed vacant and shall be filled as otherwise provided by law. A person who is appointed pursuant to this section is fully vested with the powers and duties of the office as if elected to that office.

B. A director who resides in an area which is deleted from the sanitary district during the director's term of office shall continue to serve until the next regular election, and until the director's successor is elected and qualified. If the director's term does not expire at that time, a new qualified director shall be elected to serve out the unexpired portion.

C. A sanitary district having an area of less than one hundred sixty acres shall be governed by the board of supervisors of the county in which the district is located, and the board of supervisors shall be the board of directors of the district. On receipt of a petition that contains the signatures of twenty-five per cent or more of the qualified electors residing in the district that are verified by the county recorder and that requests that the district be converted and administered by its own board of directors, the board of supervisors shall call an election on the conversion of the sanitary district. The election may be held on any consolidated election date as prescribed in section 16-204. The sanitary district shall reimburse the county for the expenses of the sanitary district election. The petition for the conversion of the district shall specify either three or five as the number of directors for the converted sanitary district. The board of supervisors shall give notice of the election by posting copies of the order of election in three public places within the district not less than twenty days prior to the date of the election and if a newspaper is published within the county having a general circulation within the district, the order shall be published in the newspaper not less than once a week during each of the three calendar weeks preceding the calendar week of the election. The ballot for the election shall state "convert from a sanitary district administered by the county board of supervisors to a sanitary district administered by a local board of directors consisting of (insert three members or five members, as appropriate) - yes", "convert from a sanitary district administered by the county board of supervisors to a sanitary district administered by a local board of directors consisting of (insert three or five members, as appropriate) - no". The ballot shall also allow each elector to indicate the elector's choice for board members in the event of conversion. Within twenty days after the election, the board of supervisors shall meet and canvass the returns, and if it is determined that a majority of the votes cast at the election were in favor of converting the sanitary district, the board shall enter that fact on its minutes, declare the district duly converted and announce the names of those elected to the district board.

D. The board of supervisors shall make an order calling an election to decide whether to reorganize a sanitary district that has a board consisting of three members as a sanitary district that has a board consisting of five members when a petition

containing the signatures of twenty-five per cent of the qualified electors residing within the district and requesting that the district be reorganized is filed with the board except the board of supervisors shall not call for a reorganization election to expand the number of directors on the district board more frequently than once every two years. The election may be held on any consolidated election date as prescribed in section 16-204. The sanitary district shall reimburse the county for the expenses of the sanitary district election. The board of supervisors shall give notice of the election by posting copies of the order of election in three public places within the district not less than twenty days prior to the date of the election and if a newspaper is published within the county having a general circulation within the district, the order shall be published in the newspaper not less than once a week during each of the three calendar weeks preceding the calendar week of the election. The ballot for the election shall state "shall the current three member sanitary district board be reorganized to a five member board - yes or no". The ballot shall also allow each elector to indicate the elector's choice for two additional board members in the event of reorganization. Within twenty days after the election, the board of supervisors shall meet and canvass the returns, and if it is determined that a majority of the votes cast at the election were in favor of reorganizing the sanitary district as a district with a five member board, the board shall enter that fact on its minutes, declare the district duly reorganized and announce the names of those elected to the district board.

E. Each director of a sanitary district shall receive not more than one hundred fifty dollars per month or a lesser amount as set by the board of directors of the district plus necessary traveling expenses, but members of the board of supervisors when serving as directors of a sanitary district shall receive no compensation for attending meetings but shall be reimbursed for their necessary expenses. No director shall receive compensation, other than expenses, for attending more than four meetings of the board during a calendar month.

F. For a district that is not governed by the board of supervisors, if a vacancy occurs on the district board due to death, disability, resignation or any other cause, the board of directors of the sanitary district shall appoint a qualified elector of the district to fill the office for the remaining portion of that term, except that if the remaining directors do not constitute a quorum, the county board of supervisors shall make the appointment to fill the vacancy.

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48-1082. Elected board of directors; initial members; qualifications; terms; filling vacancy; chairperson

A. At the option of the board of supervisors after presentation of a petition requesting the establishment of a road improvement and maintenance district, or on the submission of a separate petition following the establishment of an improvement district as prescribed by section 48-903, and subsequent to the approval of the county board of supervisors, the district shall be governed by an elected board of directors.

The elected board shall consist of the number of members, but at least three, specified in the petition for establishment of the district. The first directors of the board shall be selected by the board of supervisors at the time the district is established. Members of the board of directors shall be qualified electors of the district and, after the members first appointed by the board of supervisors, shall be elected by the qualified electors of the district.

B. Immediately after the selection and qualification of the first directors of the board, the directors shall meet and divide themselves by lot into two classes as nearly equal in number as possible. Directors of the first class shall serve for a term of four years and directors of the second class shall serve for a term of two years. Every director shall continue to discharge the duties of office until a successor is appointed and qualifies. Thereafter, at each regular election, one director for each expired term shall be elected and shall hold office for a term of four years, and until a successor is elected and qualifies. The dates of elections and of expiration of terms shall be specified in the petition for establishment of the district.

C. If a vacancy on the district board occurs due to disability or any other cause other than resignation, the board of directors of the district shall appoint a qualified elector of the district to fill the office for the remaining portion of that term. If there is a vacancy on the district board due to resignation, the district board shall accept the resignation and appoint a qualified elector to fill the remaining portion of that term of office. If the district board lacks a quorum for any reason for more than thirty days, the county board of supervisors may revoke the authority of the appointed or elected board of directors pursuant to section 48-1086.

D. The board of directors shall annually elect a chairperson from among its members.

E. If only one person files or no person files a nominating petition for election to fill a position on the board of directors of the district, the county board of supervisors, by resolution, may cancel the election for that office and appoint the person who filed the nominating petition to fill that position. If no person files a nominating petition for an election to fill a district board office, the county board of supervisors, by resolution, may cancel the election for those offices and those offices are deemed vacant and shall be filled as otherwise provided by law. A person who is appointed pursuant to this section is fully vested with the powers and duties of the office as if elected to that office.

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HOSPITAL DISTRICT[ARS TITLE PAGE](#) [NEXT DOCUMENT](#) [PREVIOUS DOCUMENT](#)**48-1908. Board of directors; members; qualifications; terms; organization**

A. The board of directors of the district shall be composed of five citizens who are resident real property owners within the district, none of whom is an elective or appointive state, county or city official.

B. Directors shall serve four year terms beginning on the first day of the month immediately following declaration of election to office. Elections shall be held on either the fourth Tuesday in February, the second Tuesday in June or the first Tuesday after the first Monday in November of every even numbered year.

C. Candidates for a district board office shall file nominating petitions with the board of supervisors as prescribed by title 16, chapter 3. If only one person files or no person files a nominating petition for an election to fill a position on the board for which the term of office is to expire, then the board may cancel the election for that position and appoint the person who filed a nominating petition to fill the position. If no person files a nominating petition for an election to fill a district office, the board of supervisors may cancel the election for that office and that office is deemed vacant and shall be filled as otherwise provided by law. Vacancies occurring other than by expiration of term may be filled by the remaining directors, except that if the remaining directors do not constitute a quorum, the county board of supervisors shall make the appointment to fill the vacancy.

D. The board shall be a body corporate, under the name "board of directors for _____ hospital," or "board of directors for _____ urgent care center" with the name of the hospital or urgent care center inserted.

E. Not later than sixty days after an election the board shall meet and reorganize by electing from its membership a chairman and a vice-chairman. In addition thereto, the board may appoint a secretary who shall not be a member of the board and who may be paid a salary fixed by the board.

Regular Board of Supervisors Meeting

Meeting Date: 11/01/2016

Demands

Submitted By: Arlethe Rios, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation

Document Signatures:

NAME n/a

of PRESENTER:

Mandated Function?:

Recommendation:

of ORIGINALS

Submitted for Signature:

TITLE n/a

of PRESENTER:

**Source of Mandate
or Basis for Support?:**

Information

Agenda Item Text:

Approve demands and budget amendments for operating transfers.

Background:

Auditor-General's requirement for Board of Supervisors to approve.

Department's Next Steps (if approved):

Return to Finance after BOS approval.

Impact of NOT Approving/Alternatives:

Board of Supervisors will not be in compliance with State law.

To BOS Staff: Document Disposition/Follow-Up:

Return to Finance after BOS approval.

Budget Information

Information about available funds

Budgeted: ☐

Funds Available: ☐

Amount Available:

Unbudgeted: ☐

Funds NOT Available: ☐

Amendment: ☐

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

No file(s) attached.

Regular Board of Supervisors Meeting**Health & Social Services****Meeting Date:** 11/01/2016

Approval of Memorandum of Understanding (master template) between Cochise County and district schools in support of immunization outreach.

Submitted By: Briggita Hodges, Health & Social Services**Department:** Health & Social Services

Presentation: No A/V **Recommendation:** Approve
Presentation

Document Signatures: BOS Signature **# of ORIGINALS** 0NOT Required **Submitted for Signature:**

NAME Carrie Langley **TITLE** Deputy Director
of PRESENTER: **of PRESENTER:**

Docket Number (If applicable):

Mandated Function?: Not Mandated **Source of Mandate**
or Basis for Support?:

Information**Agenda Item Text:**

Approve a Memorandum of Understanding (master template) between Cochise County and district schools in support of immunization outreach effective for one year, with a one year automatic renewal unless otherwise terminated.

Background:

Historically, the Cochise County vaccination rate has ranged between low- to mid-ninety percents. Often, school nurses report barriers to vaccination that include travel, cost and access. Cochise Health and Social Services has the responsibility to provide immunizations via the Vaccines for Children's Program (VFC) to the pediatric population in Cochise County, pursuant to A.R.S §36-673. Schools are required to ensure compliance with vaccination standards, pursuant to A.R.S. §15-872. Additionally, this outreach aligns well strategically with ensuring access to preventative services, vaccines falling into the primary prevention level.

It is expected this outreach effort will boost the vaccination rate in Cochise County by enhancing constituent convenience.

Department's Next Steps (if approved):

Will implement contract template

Impact of NOT Approving/Alternatives:

Denial of this MOU could adversely impact access to vaccine to those children in our schools who are most vulnerable.

To BOS Staff: Document Disposition/Follow-Up:

n/a

Attachments

Executive Summary
Contract

Executive Summary Form

Agenda Number: 3140 HLT

Recommendation:

Approval of Memorandum of Understanding (master template) between Cochise County and district schools in support of immunization outreach. This MOU was drafted by the County Attorney and will run for one year, with a one-year automatic renewal unless otherwise terminated. The costs of providing immunization for un-/under-insured students in the schools is covered under immunization funding through the Vaccines for Children (VFC) program. Vaccines for insured students (private/AHCCCS) will be billed via our existing agreement with TAPI (The Arizona Partnership for Immunization).

To streamline the documentation process, we are recommending BOS approval of the county's MOU master template that will be offered to some 36 schools in Cochise County. If the schools accept the master template form as drafted, no additional BOS authorization will be sought; however, should a school suggest any material changes, reauthorization of the BOS will be undertaken on a case-by-case basis.

Background (Brief):

Historically, the Cochise County vaccination rate has ranged between low- to mid-ninety percents. Often, school nurses report barriers to vaccination that include travel, cost and access. Cochise Health and Social Services has the responsibility to provide immunizations via the Vaccines for Children's Program (VFC) to the pediatric population in Cochise County, pursuant to A.R.S §36-673. Schools are required to ensure compliance with vaccination standards, pursuant to A.R.S. §15-872. Additionally, this outreach aligns well strategically with ensuring access to preventative services, vaccines falling into the primary prevention level.

It is expected this outreach effort will boost the vaccination rate in Cochise County by enhancing constituent convenience.

Fiscal Impact & Funding Sources:

CHSS receives funding through the VFC program, which covers vaccine cost, or by billing insured children through TAPI, so all pediatric vaccinations are fully covered. Staff time is also partially covered through the Immunizations/VFC grant. Modest incremental fleet charges may be incurred as nurses travel to area schools; however, these costs will be billed to the Immunizations/VFC grant.

Next Steps/Action Items/Follow-up:

Your approvals are respectfully requested.

Impact of Not Approving:

Denial of this MOU could adversely impact access to vaccine to those children in our schools who are most vulnerable.

MEMORANDUM OF UNDERSTANDING
BETWEEN COCHISE COUNTY AND _____
(School District)

This Memorandum of Understanding (also referred to as “agreement”) is entered into between Cochise County, a political subdivision of the State of Arizona, hereinafter referred to as “County” and _____, hereinafter referred to as “District”. The
(School District)
County and District are collectively referred to herein as “parties”.

WHEREAS, the County has a mandatory duty to provide immunizations to school-aged children at no cost to the children or parents, guardians, or persons in loco parentis, A.R.S. § 36-673;

WHEREAS, the immunization of a child requires informed consent of a parent, guardian or person in loco parentis, *Id.*;

WHEREAS, a person who is at least eighteen (18) years of age or is emancipated may consent to immunization, *Id.*;

WHEREAS, the District is responsible for ensuring that children attending school are immunized or meet an exemption to immunization, A.R.S. § 15-872; and

WHEREAS, the parties believe that providing immunizations to children at school sites will provide a necessary service to children who are otherwise unable to get immunized for a variety of reasons, including transportation, travel costs, and/or distance.

NOW, THEREFORE, the parties agree as follows:

A. DEFINITIONS:

1. *Immunization packet* – A packet of documents given to parents, guardians, and persons in loco parentis that includes, but may not be limited to, a Patient Eligibility Screening Form, Childhood/Adolescent Immunization Administration Record, HIPAA policy, Patient Rights and Responsibilities, and a Cochise Informed Consent and Insurance form.
2. *School Administrator* – A school principal.
3. *School Site* – The location at a school provided by the school administrator that County personnel may use to immunize children (e.g. a nurse’s office).

B. COCHISE COUNTY, THROUGH ITS HEALTH & SOCIAL SERVICES DEPARTMENT:

1. Shall provide qualified personnel to provide immunizations to children at school sites.

2. Shall provide immunization packets to the school administrator or the school administrator's designated point of contact at each school site to be given to children's parents, guardians or persons in loco parentis before County personnel will be at the school site to immunize children.
3. Shall verify that a child's parent, guardian, or person in loco parentis has provided informed consent and private insurance information or AHCCCS information before County personnel may immunize the child.
4. Should a parent, guardian, or person in loco parentis appear at the school site and request that his/her child be immunized, County personnel will ensure that (1) an immunization packet is given to the parent, guardian or person in loco parentis and (2) the parent, guardian or person in loco parentis completely fills out the immunization packet documents before the child may be immunized.
5. Shall furnish documentary proof of immunization for each child immunized to the school administrator or his/her designated point of contact, and to the parent, guardian, or person in loco parentis if he/she is present during immunization of the child.

C. DISTRICT, THROUGH ITS SCHOOL ADMINISTRATORS OR SCHOOL ADMINISTRATORS' DESIGNATED POINT OF CONTACT:

1. Shall provide notice to children's parents, guardians, or persons in loco parentis of the opportunity to have their children immunized at a school site by qualified County personnel. Such notice shall include the times, dates, and locations of such opportunity.
2. Shall provide immunization packets to children's parents, guardians or persons in loco parentis to be completed and returned to the children's school administrator or his/her designated point of contact before immunizations will be given to a child.
3. Shall provide a location at a school site for County personnel to provide immunizations to a child (e.g. Nurse's Office).
4. Shall make a copy machine accessible to County personnel should copies of immunization packet documents need to be made while County personnel are at a school site.

D. THE PARTIES:

1. Shall jointly agree on the dates, times, and locations in which immunizations shall be given to children by County personnel at a school site.

E. EFFECTIVE DATE OF AGREEMENT:

This agreement shall be effective upon the signing of all parties to the agreement.

F. CHANGES TO THIS AGREEMENT:

The parties to this agreement may amend, modify, or supplement this Agreement in writing at any time by mutual consent. All other unaffected provisions set forth in this agreement shall remain in effect.

G. TERM OF AGREEMENT:

The initial term of this agreement shall be for one (1) year from its effective date. The agreement shall be automatically renewed for additional one (1) year periods at the end of each one (1) year term, unless otherwise terminated pursuant to paragraph H.

H. TERMINATION:

Any party to this agreement may terminate it at any time, with thirty (30) days written notice. Such notice shall be given by personal delivery or by registered or certified mail.

Notice to the County should be sent to the following address:

Cochise County Health & Social Services
1415 Melody Lane
Building A
Bisbee, AZ 85603

Notice to the School District should be sent to the School Administrator at each school site.

I. NON-DISCRIMINATION:

The parties shall comply with all applicable state and federal statutes and regulations governing Equal Employment Opportunity, Non-Discrimination, and Immigration.

J. CONFLICT OF INTEREST: This Contract is subject to cancellation pursuant to the provisions of A.R.S. § 38-511, which are incorporated herein.

K. INSPECTION AND AUDIT:

The District agrees to keep all books, accounts, reports, files and other records relating to this Contract for five (5) years after completion of the contract. In addition, the District agrees that such books, accounts, reports, files and other records shall be subject to audit pursuant to A.R.S. § 35-214.

L. PUBLIC RECORDS LAW:

Notwithstanding any other provision of this agreement, the parties understand that Cochise County is a public entity and, as such, is subject to Arizona's public records law, A.R.S. § 39-121 et. seq.

M. JURISDICTION AND APPLICABLE LAW:

This Agreement shall be governed by the laws of the State of Arizona. Jurisdiction and venue for any action under this Agreement shall be in Cochise County, Arizona.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the date and year specified below.

COCHISE COUNTY BOARD OF SUPERVISORS:

DATED: _____

Richard Searle, Chairman of the Board

ATTESTATION:

DATED: _____

Arlethe Rios, Clerk of the Board

APPROVED AS TO FORM:

DATED: October 19, 2016

Elda Orduno
Elda E. Orduno, Deputy County Attorney

(Name of School District)

DATED: _____

Chairperson of the Board

Regular Board of Supervisors Meeting**Community Development****Meeting Date:** 11/01/2016

Adopt Resolution 16-__ Authorizing the addition of 0.5 miles of Skyline Road to the Cochise County Maintained Road System

Submitted By: Teresa Murphy, Community Development**Department:** Community Development**Division:** Right of Way**Presentation:** No A/V Presentation**Recommendation:** Approve**Document Signatures:** BOS Signature Required**# of ORIGINALS** 5 or More**Submitted for Signature:****NAME of PRESENTER:** Karen Riggs**TITLE of PRESENTER:** Director**Mandated Function?:** Federal or State Mandate**Source of Mandate or Basis for Support?:** ARS 28-6705**Docket Number (If applicable):****Information****Agenda Item Text:**

Adopt Resolution 16-45 authorizing the addition of 0.5 miles of Skyline Road, from Calle Tortuga to Chaparral Place to the County Road Maintenance System.

Background:

The Road Drop/Add Policy was approved in 2007 and since that time a total of 9.65 miles was dropped and 7.85 miles have been added in Supervisory District 3, leaving a balance of 1.8 miles. At this time Supervisor Searle is requesting that 0.5 miles of Skyline Road be added in the Mescal area. (Please see attached map.) This segment of road is an extension of an existing County maintained road and serves several residences.

Per the Road Drop/Add Policy staff reviewed the road and reports as follows:

- Yes, the road was open and in use prior to June 13, 1975 as evidenced by a 1973 USGS 7.5 minute Mescal Quadrangle map.
- No, there is not a minimum width of 50 feet of public right-of-way. The adjoining property owners have agreed to dedicate 30 feet to the public with an additional spot drainage easement.
- Yes, there is a minimum average width of 18 feet or more of travelway.
- Yes, the road is contiguous to another County Maintained Road.
- Yes, the road is located within the same district as a dropped road.
- Yes, the road has a minimum ADT of about 50 or more. Actual count was 115 on 12/2015.
- Yes, the road has a safe driving speed of about 35 mph under most weather conditions.
- Yes, with the exception of mesquite vegetation that can be trimmed on a maintenance basis, the road is free of hazardous encroachments.
- No, drainage issues are not minimal. Please see detailed explanation below.
- Yes, only routine environmental permits will be required.
- Yes, there are no utility conflicts.
- Yes, substandard maintenance may be in accordance with ARS 28-6705 regarding Primitive Roads, except for drainage issues as noted.

Two of the items above that are required to be analyzed by staff per the Drop/Add Policy are not in favor of the addition. The adjacent resident's unwillingness to dedicate the required 50 feet of right-of-way will limit the road to primitive maintenance unless additional right-of-way is donated in the future. However the maintained segment of Skyline Road immediately west also has only 30 feet of right-of-way dedication.

The drainage issue requiring gabion erosion protection would be a serious deterrent to acceptance except for Supervisor Searle's agreement to pay the \$18,800 cost. We believe this will minimize ongoing drainage maintenance costs in the future. However, the resident must understand that the maintenance level is limited to "primitive", which will mean simple grading just a few times a year.

Drainage issues:

The road is downstream of a sizeable mis-aligned ADOT concrete box culvert that directs storm water flow under Interstate 10 and through the subject road. The directed flow from the ADOT box culvert is currently eroding the channel bank and if left unprotected will cut through the subject road beyond the existing flow path (see attached aerial image, figure 2).

This requires either 1) rebuilding the channel bank and road after every storm event or 2) constructing an erosion protected bank stabilization structure to eliminate the erosion along the bank and still maintain the clearing of sediment on the wash and road after every storm event. Under the Add/Drop program the road will be eligible for primitive maintenance that does not allow for the purchasing or laying of cement (ARS 28-6705). Therefore bank stabilization is limited to gabion structures without grouted protection. In order to allow for the installation of cement the road would need to be established as a county highway and, due to highway liability, improved to an adopted standard, (which would need to be chip seal).

The adjoining property owner has agreed to dedicate an additional spot drainage easement for dip crossing maintenance and cleaning downstream of the road.

Department's Next Steps (if approved):

If approved, the road segment will be brought into the maintenance system as a Primitive Road.

Impact of NOT Approving/Alternatives:

Should the item not be approved the road segment will not be brought into the Road Maintenance System.

To BOS Staff: Document Disposition/Follow-Up:

Please return the original deeds/dedications and copy of recorded Resolution to Teresa Murphy, H&F Div

Budget Information

Information about available funds

Budgeted: ☐

Funds Available: ☒

Amount Available: 18,800

Unbudgeted: ☒

Funds NOT Available: ☐

Amendment: ☐

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

[Resolution](#)

[Executive Summary](#)

[Drainage Easement-Adkins](#)

[Deed of Dedication](#)

[Executive Summary Map](#)

[Deed of Dedication](#)

[Deed of Dedication](#)

[Deed of Dedication](#)

[Location Map](#)

RESOLUTION 16-__

AUTHORIZING THE ADDITION OF A PORTION OF SKYLINE ROAD LOCATED NEAR BENSON TO THE COCHISE COUNTY MAINTAINED ROAD SYSTEM

WHEREAS, the Board of Supervisors is authorized to lay out, maintain, control and manage public roads under its jurisdiction pursuant to A.R.S. § 11-251(4); and

WHEREAS, on November 13, 1989, the Board approved the official Cochise County Maintained Road System Maps by Resolution 89-107, which has been amended from time to time; and

WHEREAS, on September 11, 2007, the Board adopted Resolution 07-77 establishing a policy for deleting roads from and adding roads to the County Road Maintenance System and part of the intent of Resolution 07-77 is to add roads into the Road Maintenance System as a replacement for deleted roads; and

WHEREAS, in previous actions the Board resolved to delete 9.65 miles and add 7.85 miles of roads in Supervisory District 3 into the County's Road Maintenance System leaving a balance of 1.8 miles that can be added; and

WHEREAS, there has been presented to the Board a formal request to add 0.5 miles of Skyline Road in Benson to the County's Road Maintenance System as depicted on the attached map; and

WHEREAS, the Board of Supervisors having considered all comments regarding this request at their meeting held October 11, 2016, has determined that approving the addition of 0.5 miles of Skyline Road, as specified above would be in the best interest of Cochise County and the public at large,

NOW, THEREFORE, IT IS HEREBY RESOLVED that we, the Board of Supervisors of Cochise County, do hereby approve the following revision to be made to the Cochise County Maintained Road System Maps:

///

RESOLUTION 16-__

**Re: Authorizing The Addition Of A Portion Of Skyline Road Located In Benson
To The Cochise County Maintained Road System**

Page | 1

MAP PAGE 17

Skyline Road #942- Add Skyline Road, from Calle Tortuga
east 0.5 miles to Chaparral Place

IT IS FINALLY RESOLVED that we, the Board of Supervisors, do hereby
approve the addition of 0.5 miles of maintenance on the road described above.

PASSED AND ADOPTED by the Board of Supervisors of Cochise County,
Arizona, this ____ day of _____, 2016.

Richard R. Searle
Cochise County Board of Supervisors

ATTEST:

Arlethe G. Rios,
Clerk of the Board

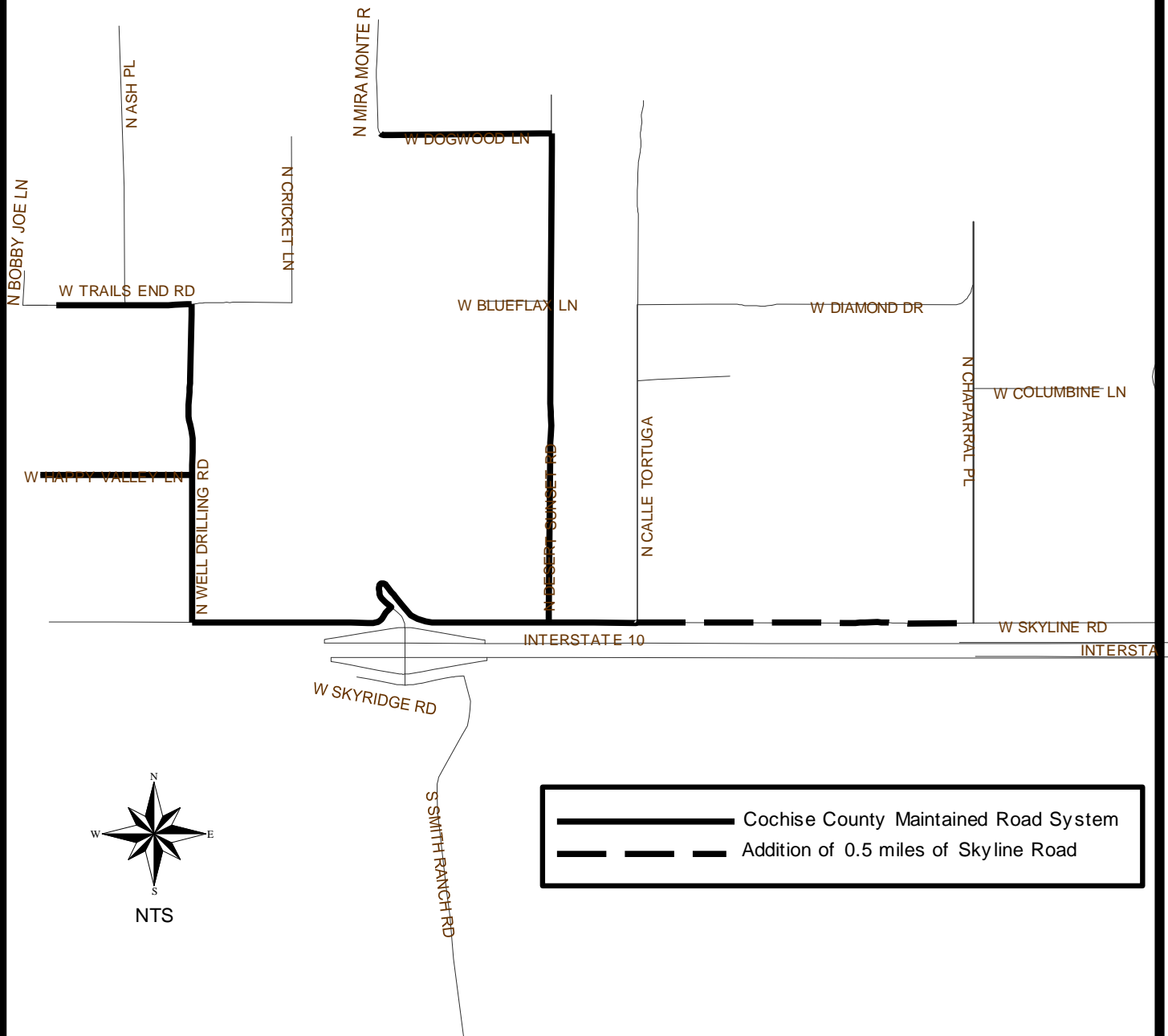
APPROVED AS TO FORM:



Britt W. Hanson
Chief Civil Deputy County Attorney

RESOLUTION 16-

AUTHORIZING THE ADDITION OF A PORTION OF
SKYLINE ROAD LOCATED IN BENSON TO THE
COCHISE COUNTY MAINTAINED ROAD SYSTEM





Cochise County Community Development

Highway and Floodplain Division

Public Programs...Personal Service
www.cochise.az.gov

INTEROFFICE MEMO

Date: October 7, 2016
To: Board of Supervisors
Thru: Karen Riggs, Director
From: Teresa Murphy, Right of Way Agent
Subject: Add a portion of Skyline Road to County maintenance

Recommendation: Adopt Resolution 16-__ Authorizing the addition of 0.5 miles of Skyline Road, from Calle Tortuga to Chaparral Place to the County Road Maintenance System.

Background (Brief): The Road Drop/Add Policy was approved in 2007 and since that time a total of 9.65 miles was dropped and 7.85 miles have been added in Supervisory District 3, leaving a balance of 1.8 miles. At this time Supervisor Searle is requesting that 0.5 miles of Skyline Road be added in the Mescal area. (Please see attached map.) This segment of road is an extension of an existing County maintained road and serves several residences.

Per the Road Drop/Add Policy staff reviewed the road and reports as follows:

- Yes, the road was open and in use prior to June 13, 1975 as evidenced by a 1973 USGS 7.5 minute Mescal Quadrangle map.
- No, there is not a minimum width of 50 feet of public right-of-way. The adjoining property owners have agreed to dedicate 30 feet to the public with an additional spot drainage easement.
- Yes, there is a minimum average width of 18 feet or more of travelway.
- Yes, the road is contiguous to another County Maintained Road.
- Yes, the road is located within the same district as a dropped road.
- Yes, the road has a minimum ADT of about 50 or more. Actual count was 115 on 12/2015.
- Yes, the road has a safe driving speed of about 35 mph under most weather conditions.
- Yes, with the exception of mesquite vegetation that can be trimmed on a maintenance basis, the road is free of hazardous encroachments.
- No, drainage issues are not minimal. Please see detailed explanation below.
- Yes, only routine environmental permits will be required.
- Yes, there are no utility conflicts.
- Yes, substandard maintenance may be in accordance with ARS 28-6705 regarding Primitive Roads, except for drainage issues as noted.

Highway and Floodplain

1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov

Planning, Zoning and Building Safety

1415 Melody Lane, Building E
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov



Cochise County Community Development Highway and Floodplain Division

Public Programs...Personal Service
www.cochise.az.gov

Two of the items above that are required to be analyzed by staff per the Drop/Add Policy are not in favor of the addition. The adjacent resident's unwillingness to dedicate the required 50 feet of right-of-way will limit the road to primitive maintenance unless additional right-of-way is donated in the future. However the maintained segment of Skyline Road immediately west also has only 30 feet of right-of-way dedication.

The drainage issue requiring gabion erosion protection would be a serious deterrent to acceptance except for Supervisor Searle's agreement to pay the \$18,800 cost. We believe this will minimize ongoing drainage maintenance costs in the future. However, the resident must understand that the maintenance level is limited to "primitive", which will mean simple grading just a few times a year.

Drainage issues:

The road is downstream of a sizeable mis-aligned ADOT concrete box culvert that directs storm water flow under Interstate 10 and through the subject road. The directed flow from the ADOT box culvert is currently eroding the channel bank and if left unprotected will cut through the subject road beyond the existing flow path (see attached aerial image, figure 2).

This requires either 1) rebuilding the channel bank and road after every storm event or 2) constructing an erosion protected bank stabilization structure to eliminate the erosion along the bank and still maintain the clearing of sediment on the wash and road after every storm event. Under the Add/Drop program the road will be eligible for primitive maintenance that does not allow for the purchasing or laying of cement (ARS 28-6705). Therefore bank stabilization is limited to gabion structures without grouted protection. In order to allow for the installation of cement the road would need to be established as a county highway and, due to highway liability, improved to an adopted standard, (which would need to be chip seal).

The adjoining property owner has agreed to dedicate an additional spot drainage easement for dip crossing maintenance and cleaning downstream of the road.

Fiscal Impact & Funding Sources: Routine 0.5 miles of Primitive road maintenance is estimated at \$500 (bladed 4-5 per year). However, the estimated cost to construct an erosion wall to keep bank from eroding out towards Skyline Road would be \$18,800. If approved, Supervisor Searle has agreed to pay the initial construction costs of \$18,800 from his discretionary funds.

Next Steps/Action Items/Follow-up: If approved, the road segment will be brought into the maintenance system as a Primitive Road.

Impact of Not Approving: Should the item not be approved the road segment will not be brought into the Road Maintenance System.

Highway and Floodplain
1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov

Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov

WHEN RECORDED MAIL TO:
Cochise County Highway & Floodplain Dept.
Attn: Right-of-way
1415 W. Melody Lane, Bldg. F
Bisbee, AZ 85603

Exempt pursuant to
A.R.S. 11-1134-A-2

GRANT OF DRAINAGE EASEMENT

For and in consideration of the benefits and public service which will result from this Grant of Easement described and its use by Cochise County which is hereby acknowledged as adequate consideration for this conveyance, We, **Mark Adkins and Corinne Adkins**, husband and wife, do hereby grant to the **County of Cochise**, a body politic, an easement for drainage purposes across that certain parcel of land in Cochise County, State of Arizona, more fully described as follows:

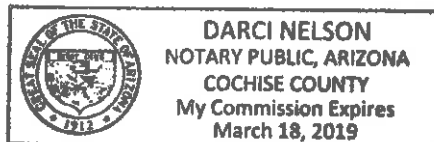
See attached "EXHIBIT A"

IN WITNESS WHEREOF, this instrument has been duly signed and executed this ____ day of _____, 2016.





STATE OF Arizona }
COUNTY OF Cochise } SS



This instrument was duly acknowledged before me this 18th day of July 2016, 2015, by Mark Adkins and Corinne Adkins, for the purpose and consideration therein contained.

MY COMMISSION EXPIRES:

3/18/19


Notary Public

ACCEPTANCE:

Richard R. Searle, Chairman
Board of Supervisor

Skyline Rd Drainage

“EXHIBIT A”

The East 290.00 feet of the West 620.00 feet of the North 30.00 feet of the South 60.00 feet of the following described property:

The South 527 feet of the Southeast quarter of the Southeast quarter of Section 10, Township 17 South, Range 19 East of the Gila and Salt River Meridian, Cochise County, Arizona, lying North of the Northerly right-of-way line of the Interstate I-10 as it existed on July 24, 1979.

WHEN RECORDED MAIL TO:
Cochise County Highway & Floodplain Dept.
Attn: Right-of-way
1415 W. Melody Lane, Bldg. F
Bisbee, AZ 85603

Exempt pursuant to
A.R.S. 11-1134-A-3

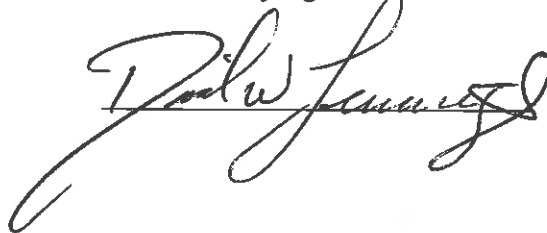
**DEED OF DEDICATION
EXISTING ROAD**

For and in consideration of the benefits and public service which will result from the conveyance of the property hereinafter described and its use by Cochise County which is hereby acknowledged as adequate consideration for this conveyance, I, **David Wayne Jennings, a married man as his sole and separate property**, do hereby dedicate to the **County of Cochise**, a body politic, a strip of land in fee simple across our premises in said County, for the purpose of a public roadway and all incidents thereto; said strip of land more fully described as follows:

See attached "EXHIBIT A"

IN WITNESS WHEREOF, this instrument has been duly signed and executed this 22
day of July, 2016.

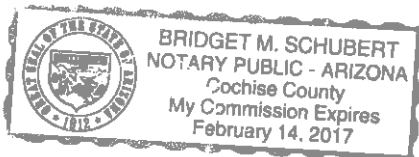
STATE OF AZ }
COUNTY OF Cochise } ss



This instrument was duly acknowledged before me this 22 day of July,
2016, by David Wayne Jennings, for the purpose and consideration therein contained.

MY COMMISSION EXPIRES:

Feb 14, 2017




Notary Public

ACCEPTANCE:

Richard R. Searle, Chairman
Board of Supervisor

“EXHIBIT A”

The South 30.00 feet of the following described property:

That portion of the Southwest quarter of the Southeast quarter of Section 10, Township 17 South, Range 19 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, more particularly described as follows:

BEGINNING at the South quarter corner of said Section 10;

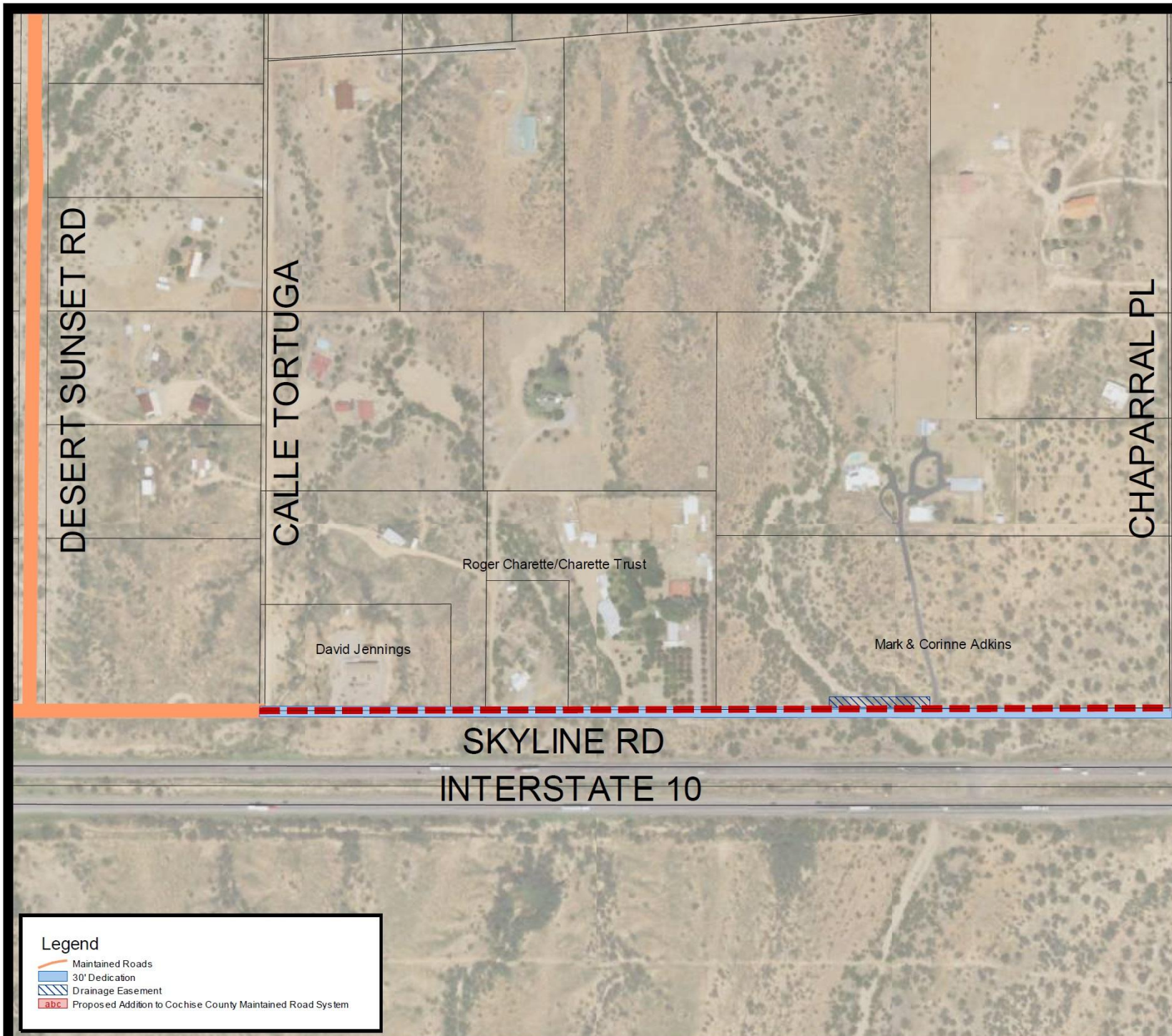
thence North 00° 39' 44" East along the Westerly line of said Southeast quarter, a distance of 142.50 feet to the Northerly right-of-way line of Interstate Highway 10 and the TRUE POINT OF BEGINNING;

thence South 89° 36' 30" East along said Northerly right-of-way line, a distance of 553.72 feet;

thence North 00° 39' 44" East, a distance of 329.43 feet;

thence North 89° 36' 30" West, a distance of 553.72 feet to the West line of the Southeast quarter of Section 10;

thence South 00° 39' 44" West along said West line, a distance of 329.43 feet to the TRUE POINT OF BEGINNING.



Executive Summary Map

Addition of 0.5 miles of Skyline Road to the Cochise County Maintained Road System

Section 10
Township 17 South
Range 19 East

This map is a product of the Cochise County GIS Information Technology Dept.



0' 1" = 400'

WHEN RECORDED MAIL TO:
Cochise County Highway & Floodplain Dept.
Attn: Right-of-way
1415 W. Melody Lane, Bldg. F
Bisbee, AZ 85603

Exempt pursuant to
A.R.S. 11-1134-A-3

**DEED OF DEDICATION
EXISTING ROAD**

For and in consideration of the benefits and public service which will result from the conveyance of the property hereinafter described and its use by Cochise County which is hereby acknowledged as adequate consideration for this conveyance, I, **Roger Henry Charette, as Personal Representative of the Estate of Susan Charles Charette, PB 201500272**, do hereby dedicate to the **County of Cochise**, a body politic, a strip of land in fee simple across our premises in said County, for the purpose of a public roadway and all incidents thereto; said strip of land more fully described as follows:

See attached "EXHIBIT A"

IN WITNESS WHEREOF, this instrument has been duly signed and executed this 25
day of July, 2016.

Estate of Susan Charles Charette

Roger Henry Charette

Roger Henry Charette, Personal Representative

STATE OF Arizona }
COUNTY OF Pima } ss

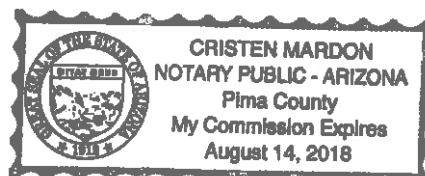
This instrument was duly acknowledged before me this 25 day of July, 2016, by Roger Henry Charette, Personal Representative, for the purpose and consideration therein contained.

MY COMMISSION EXPIRES:

August 14, 2018

CMardon
Notary Public

ACCEPTANCE:



Richard R. Searle, Chairman
Board of Supervisor

“EXHIBIT A”

PARCEL A

The South 30.00 feet of the following described property:

That portion of the Southwest quarter of the Southeast quarter of Section 10, Township 17 South, Range 19 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, and being more particularly described as follows:

BEGINNING at the South quarter corner of said Section 10;

thence North 00° 39' 44" East along the westerly line of said Southeast quarter, a distance of 142.50 feet to the Northerly right-of-way line of Interstate Highway 10 and the TRUE POINT OF BEGINNING;

thence continuing North 00° 39' 44" East along said north line a distance of 658.85 feet;

thence South 89° 36' 30" East, a distance of 661.16 feet;

thence South 00° 39' 44" West, a distance of 658.85 feet to the Northerly right-of-way line of Interstate Highway 10;

thence North 89° 36' 30" West along said right-of-way line, a distance of 661.16 feet more or less to the Southwest corner of that property described in Instrument No. 8711-27533, being the TRUE POINT OF BEGINNING;

EXCEPT any portion lying within the following described parcel:

That portion of the Southwest quarter of the Southeast quarter of Section 10, Township 17 South, Range 19 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, more particularly described as follows:

BEGINNING at the South quarter corner of said Section 10;

thence North 00° 39' 44" East along the Westerly line of said Southeast quarter, a distance of 142.50 feet to the Northerly right-of-way line of Interstate Highway 10 and the TRUE POINT OF BEGINNING;

thence South 89° 36' 30" East along said Northerly right-of-way line, a distance of 553.72 feet;

thence North 00° 39' 44" East, a distance of 329.43 feet;

thence North 89° 36' 30" West, a distance of 553.72 feet to the West line of the Southeast quarter of Section 10;

thence South 00° 39' 44" West along said West line, a distance of 329.43 feet to the TRUE POINT OF BEGINNING.

PARCEL B

The South 30.00 feet of the following described property:

That portion of the Southwest quarter of the Southeast quarter of Section 10, Township 17 South, Range 19 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, and being more particularly described as follows:

BEGINNING at the South quarter corner of said Section 10;

thence North 00° 39' 44" East along the westerly line of said Southeast quarter a distance of 142.50 feet to the northerly right-of-way line of Interstate Highway 10;

thence South 89° 36' 30" East along said right-of-way line, a distance of 661.16 feet to the **TRUE POINT OF BEGINNING**;

thence continuing South 89° 36' 30" East, a distance of 240.00 feet;

thence North 00° 39' 44" East, a distance of 397.05 feet;

thence North 89° 36' 30" West, a distance of 240.00 feet;

thence South 00° 39' 44" West, a distance of 397.05 feet to the **TRUE POINT OF BEGINNING**.

WHEN RECORDED MAIL TO:
Cochise County Highway & Floodplain Dept.
Attn: Right-of-way
1415 W. Melody Lane, Bldg. F
Bisbee, AZ 85603

Exempt pursuant to
A.R.S. 11-1134-A-3

**DEED OF DEDICATION
EXISTING ROAD**

For and in consideration of the benefits and public service which will result from the conveyance of the property hereinafter described and its use by Cochise County which is hereby acknowledged as adequate consideration for this conveyance, I, **Roger Henry Charette, successor trustee of the SUSAN CHARETTE REVOCABLE LIFETIME TRUST**, do hereby dedicate to the **County of Cochise**, a body politic, a strip of land in fee simple across our premises in said County, for the purpose of a public roadway and all incidents thereto; said strip of land more fully described as follows:

See attached "EXHIBIT A"

IN WITNESS WHEREOF, this instrument has been duly signed and executed this 25
day of July, 2016.

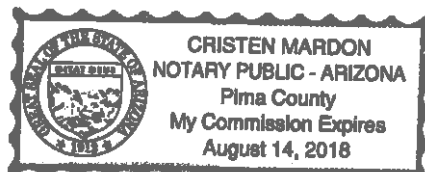
Roger Henry Charette
Roger Henry Charette, Successor Trustee

STATE OF Arizona }
COUNTY OF Pima } ss

This instrument was duly acknowledged before me this 25 day of July, 2016, by Roger Henry Charette, Successor Trustee, for the purpose and consideration therein contained.

MY COMMISSION EXPIRES:

August 14, 2018



CMardon
Notary Public

ACCEPTANCE:

Richard R. Searle, Chairman
Board of Supervisor

"EXHIBIT A"

The South 30.00 feet of the following described property:

That portion of the Southwest quarter of the Southeast quarter of Section 10, Township 17 South, Range 19 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, more particularly described as follows:

BEGINNING at the Northwest corner of said Southwest quarter of the Southeast quarter of Section 10, Township 17 South, Range 19 East;

thence South $89^{\circ} 35' 17''$ East along the north line of said Southwest quarter, a distance of 1319.00 feet to the Northeast corner of Southwest quarter ;

thence South $00^{\circ} 26' 14''$ West along the east line of said Southwest quarter, a distance of 515.73 feet to the TRUE POINT OF BEGINNING;

thence continuing along said east line, South $00^{\circ} 26' 14''$ West, a distance of 658.84 feet to a point lying 142.50 feet northerly of south line of Section 10;

thence North $89^{\circ} 36' 30''$ West, parallel with and 142.50 feet northerly of the south line of Section 10, a distance of 664.42 feet;

thence North $00^{\circ} 39' 44''$ East, a distance of 658.85 feet;

thence South $89^{\circ} 36' 30''$ East, a distance of 659.87 feet to the TRUE POINT OF BEGINNING.

EXCEPT any portion lying within the following described parcel:

That portion of the Southwest quarter of the Southeast quarter of Section 10, Township 17 South, Range 19 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, and being more particularly described as follows:

BEGINNING at the South quarter corner of said Section 10;

thence North $00^{\circ} 39' 44''$ East along the westerly line of said Southeast quarter a distance of 142.50 feet to the northerly right-of-way line of Interstate Highway 10;

thence South $89^{\circ} 36' 30''$ East along said right-of-way line, a distance of 661.16 feet to the TRUE POINT OF BEGINNING;

thence continuing South $89^{\circ} 36' 30''$ East, a distance of 240.00 feet;

thence North $00^{\circ} 39' 44''$ East, a distance of 397.05 feet;

thence North $89^{\circ} 36' 30''$ West, a distance of 240.00 feet;

thence South $00^{\circ} 39' 44''$ West, a distance of 397.05 feet to the TRUE POINT OF BEGINNING.

WHEN RECORDED MAIL TO:
Cochise County Highway & Floodplain Dept.
Attn: Right-of-way
1415 W. Melody Lane, Bldg. F
Bisbee, AZ 85603

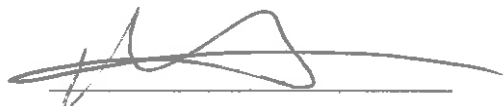
Exempt pursuant to
A.R.S. 11-1134-A-3

**DEED OF DEDICATION
EXISTING ROAD**

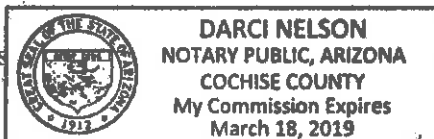
For and in consideration of the benefits and public service which will result from the conveyance of the property hereinafter described and its use by Cochise County which is hereby acknowledged as adequate consideration for this conveyance, We, **Mark Adkins and Corinne Adkins**, husband and wife, do hereby dedicate to the **County of Cochise**, a body politic, a strip of land in fee simple across our premises in said County, for the purpose of a public roadway and all incidents thereto; said strip of land more fully described as follows:

See attached "EXHIBIT A"

IN WITNESS WHEREOF, this instrument has been duly signed and executed this 18
day of July, 2016.



STATE OF Arizona }
COUNTY OF Cochise }



This instrument was duly acknowledged before me this 18th day of July 2016, by Mark Adkins and Corinne Adkins, for the purpose and consideration therein contained.

MY COMMISSION EXPIRES:

3/18/19


Notary Public

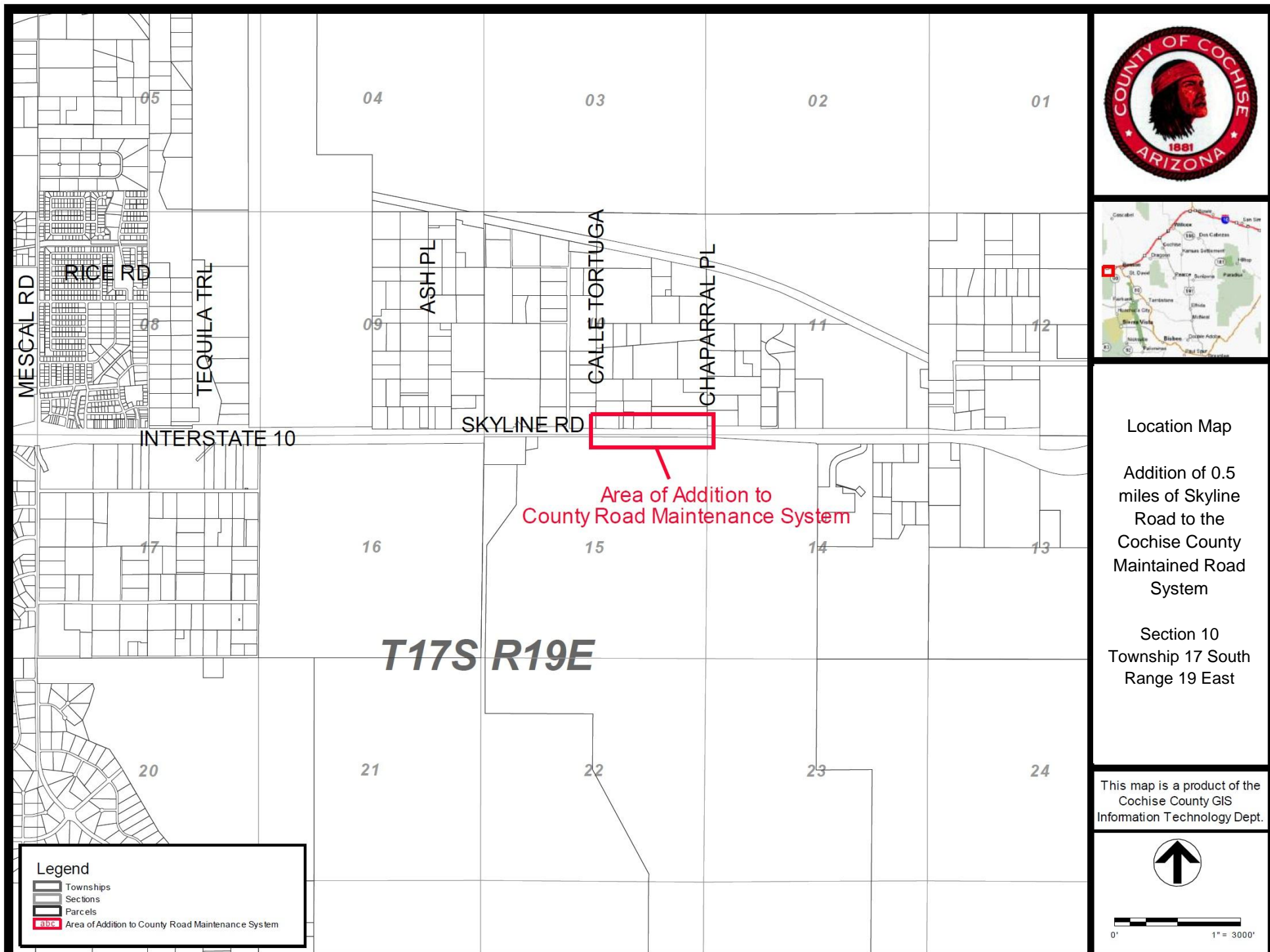
ACCEPTANCE:

Richard R. Searle, Chairman
Board of Supervisor

“EXHIBIT A”

The South 30 feet of the following described property:

The South 527 feet of the Southeast quarter of the Southeast quarter of Section 10, Township 17 South, Range 19 East of the Gila and Salt River Meridian, Cochise County, Arizona, lying North of the Northerly right-of-way line of the Interstate I-10 as it existed on July 24, 1979.



Court Administration

Regular Board of Supervisors Meeting

Meeting Date: 11/01/2016

Approve Position for Law Library/ Self- Service Center

Submitted By: Andrea Kelley, Court Administration

Department: Court Administration

Presentation: No A/V Presentation Recommendation: Approve

Document Signatures: BOS Signature NOT Required # of ORIGINALS Submitted for Signature: 0

NAME of PRESENTER: Eric Silverberg TITLE of PRESENTER: Court Administrator

Docket Number (If applicable):

Mandated Function?: Federal or State Mandate Source of Mandate or Basis for Support?: ARS and US Constitution

Information

Agenda Item Text:

Approve a full-time self service specialist position for the Law Library/Self Service Center in the amount of \$23,061.

Background:

The court hired The National Center for State Courts, as a consultant to recommend service improvements, especially as it relates to Self-Represented Litigants (SRLs). The produced a report with their recommendations.

One of the recommendations was to create a full time self service center specialist to help the court to fully implement this new model of service of delivery. The court, by deciding not to renew an expiring book contract has identified \$68,000 in annual savings. The court is requesting that this savings be re-purposed to create a position (Self Service Specialist). Annualized position cost with ERE and expenses is estimated to be \$47,100. No increase in budgeted funds is required to create this position. We request that this position be effective January 1, 2017.

Funding of the Law Library/Self Service Center comes from two principal sources; a law library special revenue fund and from general County library funds. These funds support staffing as well as as legal reference and court access materials. While the court is not seeking additional funds to create this position, the court recognizes that the decision to approve the position represents a long term commitment. As such, it is appropriate that the BOS approve the creation of this position. The court appreciates this ongoing support and has reached out to revitalize the partnership with the County Library system. This partnership will sustain and enhance services County wide.

Department's Next Steps (if approved):

Recruit through Judicial HR.

Impact of NOT Approving/Alternatives:

If the request is denied, we will be unable to substantially implement the initiatives spelled out by the consultants in their report. The Law Library and Self Service Center are two separate functions. Due to increased amounts of SRLs, court interpreters may be pulled from their essential functions as court interpreters to assist in the self service center.

To BOS Staff: Document Disposition/Follow-Up:

Notify Court Administrator and Judicial HR Director of approval.

Attachments

Powerpoint Reference

Cochise County Superior Court Law Library Re-engineering Project

Funded by the State Justice Institute

Consultant: National Center for State Courts


Presentation to Board of Supervisors
October 11, 2016

How Did this Project Arise?

- ▶ This project was identified during our strategic plan process and supports the Focus Area 1 “Access and Services” of the Strategic Plan.

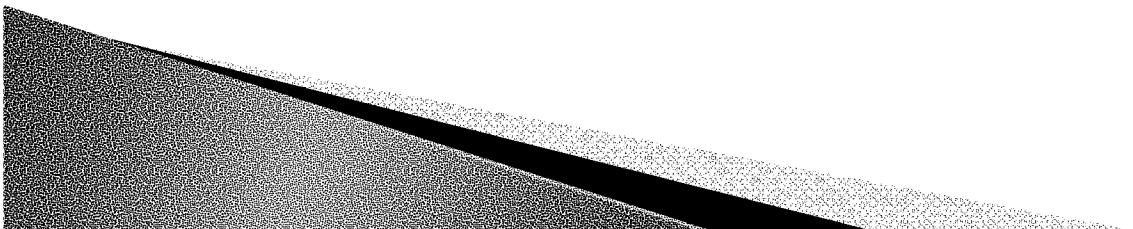
- (1) improve physical access.
- (2) improve access to court and case information both in person and via digital media (e.g., in the Library, via the Website).
- (3) enhance remote and electronic access.

The project to improve access in the Law Library was deferred because:

- The library was still under long term publisher contracts.
 - The first strategic plan priority was to execute projects with little or no cost.
 - The project required additional outside expertise.
- 

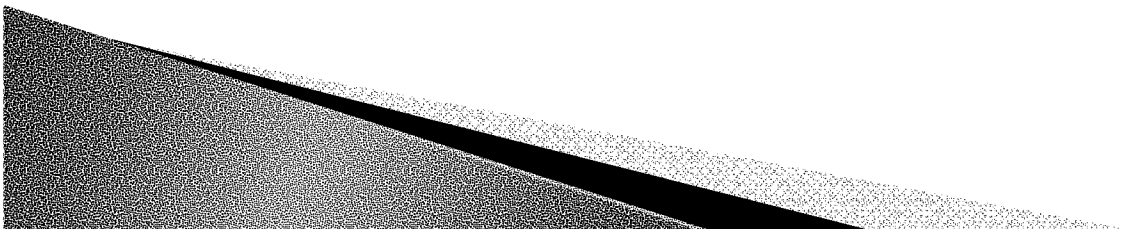
Funding

- ▶ Project was funded by a grant provided by the State Justice Institute (SJI).
- ▶ No general fund money was used for this assessment.



Purpose

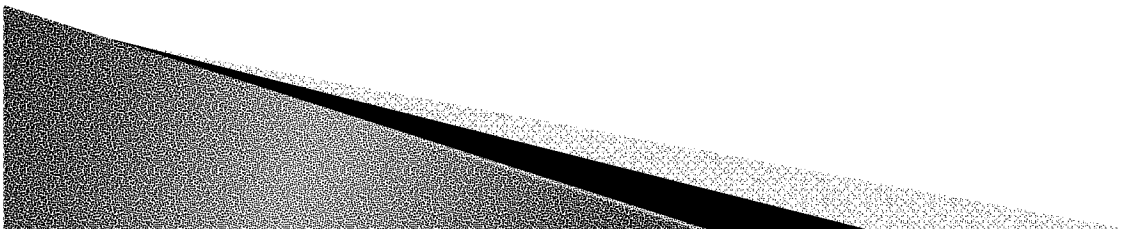
- ▶ Improve the Court's current service to self-represented litigants.
- ▶ Determine how such services can be enhanced.
 - Review service methods.
 - Evaluate the facility space from which services are provided.
 - Determine local appropriateness of "best practices".



Primary Goal

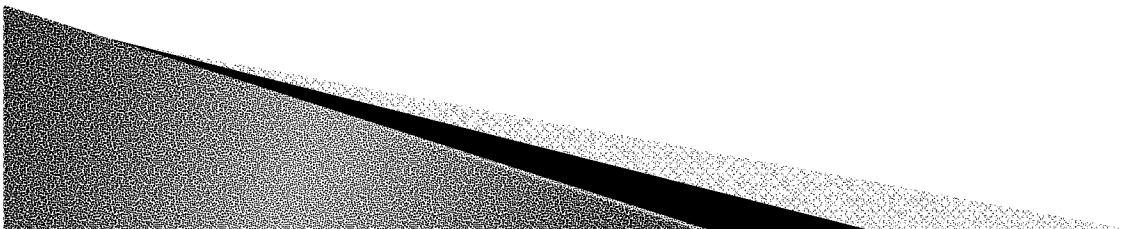
- ▶ Increase court access for self-represented litigants.

This new service model is a purposeful and dramatic departure from the long standing service model which focused on research assistance to the attorney community. We have been gradually evolving to this model for several years. It is time to expedite this completion.



Consultant's Priority Recommendations (Among a Total of 39)

- 1) Rebrand court access for self-represented litigants.
 - Self-Service Center.
- 2) Re-engineer existing space.
 - Work closely with County Facilities to see what is feasible.
 - Divide the Law Library functions from the Interpreter's Office to improve privacy and service to non-English speakers and the self-represented litigants.
- 3) Re-engineer staffing.
 - Create a full-time coordinator position to effectively manage and coordinate the services of the Self-Service Center and Law Library.



Recommendations Cont.

4) Tools and resources.

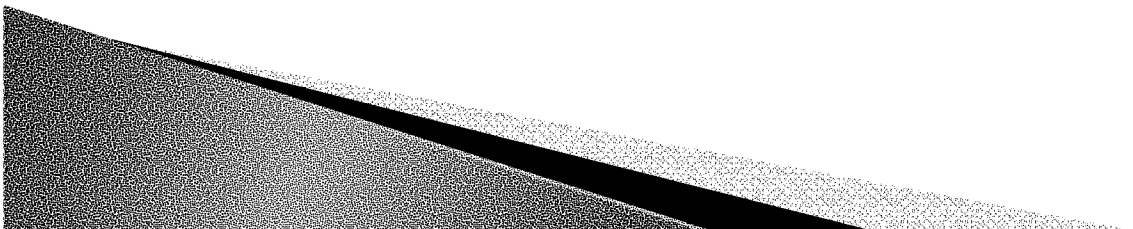
- Reevaluate.
- Create Cochise County specific forms.
- Create handouts.

5) Technology.

- Develop a Court specific website.

6) Partnerships and access points.

- Work closely with County and City Libraries.



Work In Progress

- ▶ Continuation of the 8 year effort to reduce book publication subscriptions and surplus unneeded books creating savings.
- ▶ Project Committee.
- ▶ Continued relationship with Consultants (3/2017).
- ▶ Working closely with Facilities to re-engineer the Law Library space.
- ▶ Developing partnerships with County and City Libraries.

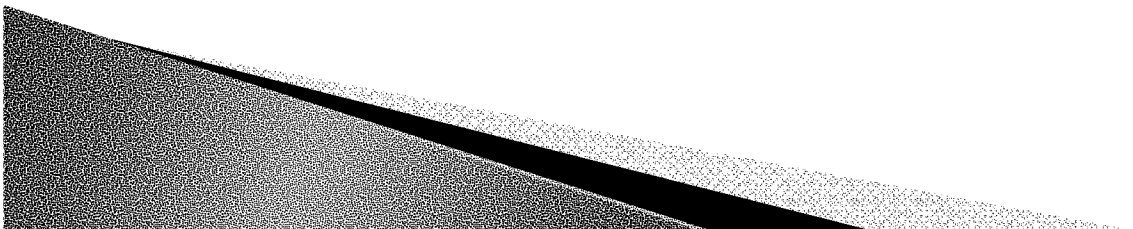
Next step.

Forms.

Website.

Expand services.

Create new position.



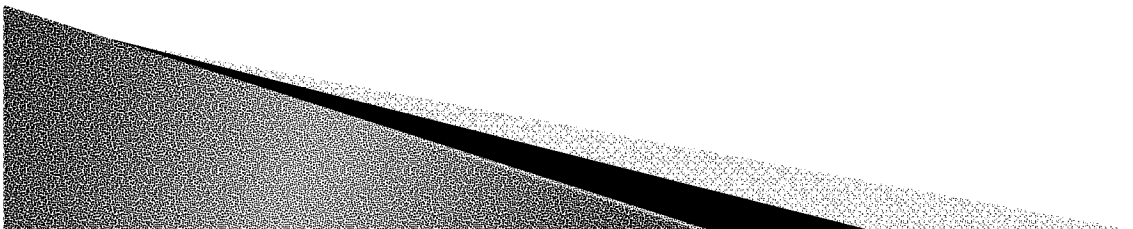
Library Book Expenditures

(A Continuing Trend of Reduction)

Budget Yr	Expenditures
2013-2014	\$190,674.91
2014-2015	\$180,215.33
2015-2016	\$158,101.68

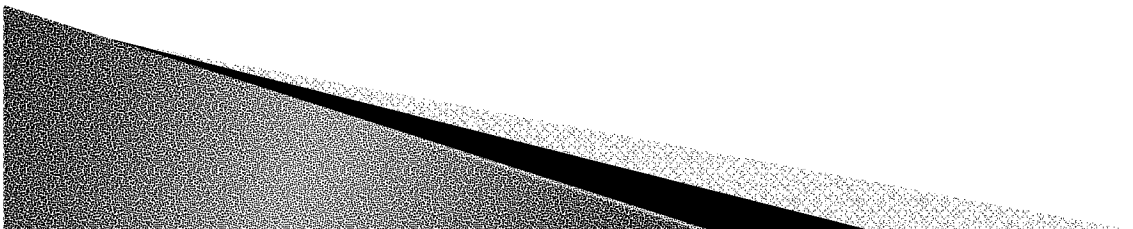
Thomson Contract Termination	\$85,376.67
New Thomson Cost	<u>\$17,152.75</u>
Annual Savings	\$68,223.92

Prorated Savings for remainder of FY 2017
\$51,017.25



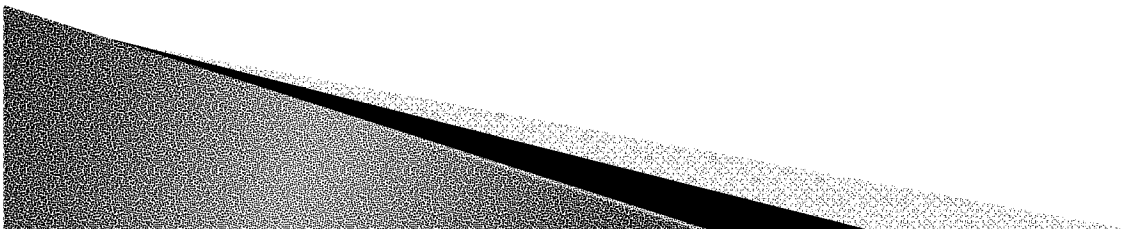
New Position Prorated Expenses 1 /2017 to 6/30/2017

▶ Salary	\$16,562.00
▶ ERE	\$6,499.00
▶ Computer	\$1,000.00
▶ Travel	\$500.00
▶ Supplies	\$500.00
▶ Furniture	<u>\$2,000.00</u>
▶ Total	\$27,151.00



Funding of New Position

- ▶ From this \$51,017.25 we are asking for BOS action to repurpose some of our existing budget allocation to fund and create this position. NO additional funds are requested.
- ▶ This exceeds the estimated cost of the position (\$27,151) for the remainder of the fiscal year. This position is also sustainable on annual basis.

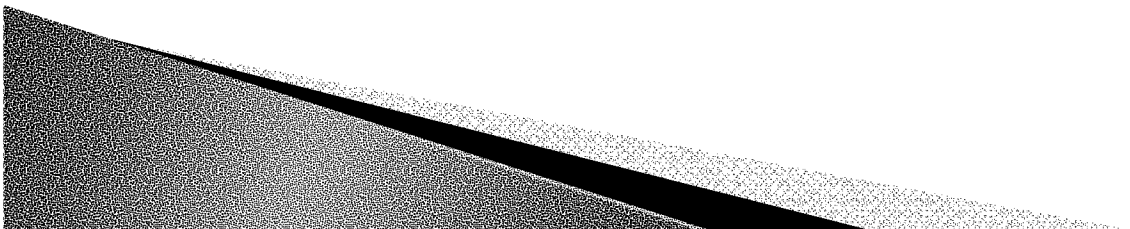


Action Requested

Please approve request to create a position to assist us to improve service to Cochise County residents.

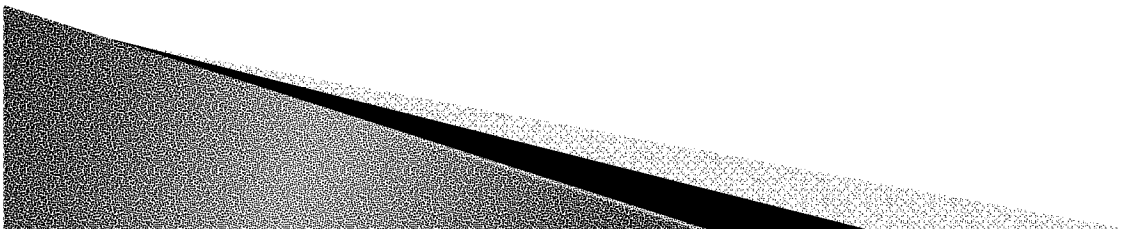
Our current budget allocation is more than sufficient to support this position.

The future is bright. Thank you for your partnership.



Project Committee Members

- ▶ Honorable James L. Conlogue, Presiding Superior Court Judge
- ▶ Honorable Timothy Dickerson, Presiding Justice of the Peace
- ▶ Eric Silverberg, Superior Court Administrator
- ▶ Veronica Olivares, Chief Interpreter/Librarian
- ▶ Ray Falkenberg, Cochise County Health Department Deputy Director
- ▶ Ann English, Cochise County Board of Supervisors
- ▶ Rachel Raynes, Arizona Attorney General's Office
- ▶ Daniel Shumway, Southern Arizona Legal Aid
- ▶ Jana Flagler, Attorney
- ▶ Jason Macosiak, Library Coordinator, City of Bisbee
- ▶ Theresa Barrett, AOC, Manager – Court Services Division
- ▶ Janet Cornell, Consultant, National Center for State Courts
- ▶ Greg Langham, Consultant, National Center for State Courts



Regular Board of Supervisors Meeting**Meeting Date:** 11/01/2016

Grant Approval for A CASA FOR EVERY CHILD

Submitted By: Andrea Kelley, Court Administration**Department:** Court Administration**Presentation:** No A/V Presentation**Recommendation:** Approve**Document Signatures:** BOS Signature NOT Required**# of ORIGINALS** 0**Submitted for Signature:****NAME** Eric Silverberg**TITLE** Court Administrator**of PRESENTER:****of PRESENTER:****Mandated Function?:** Not Mandated**Source of Mandate
or Basis for Support?:**

You will use this Agenda Item template if your item involves a Grant (whether a new or renewal grant). You also must attach the Grant Approval Form to the item before Finance will approve it. Select the SPECIAL LINKS on your left-hand menu and Click on "Grant Approval Form". Then complete the form, save it and attach it to your item (on the Attachments tab).

Information**Agenda Item Text:**

Approve a grant from the Legacy Foundation for the A CASA For Every Child program in the amount of \$2,000 effective September 16, 2016 through June 30, 2017.

Background:

This grant will support a special marketing outreach to increase the supply of trained CASA volunteers. The role of the volunteers is to speak for the best interest of children in dependency proceedings. Our goal is to have a volunteer for every child, as we currently serve only 23% of the children.

Department's Next Steps (if approved):

Utilize funds as set forth by the grant.

Impact of NOT Approving/Alternatives:

These funds have already been received and deposited. We would be unable to do the work and would need to return the funds.

To BOS Staff: Document Disposition/Follow-Up:

Please notify the Court Administrator once approved.

Budget Information*Information about available funds***Budgeted:** ☐**Funds Available:** ☐**Amount Available:****Unbudgeted:** ☐**Funds NOT Available:** ☐**Amendment:** ☐**Account Code(s) for Available Funds****1:**

Fund Transfers
Attachments

Grant Approval Form

COCHISE COUNTY GRANT APPROVAL FORM

Form Initiator: Eric Silverberg

Date Prepared: October 6, 2016

Point of Contact: Abby Dodge

Phone Number: 520-432-8818

Department: **Court Administration**

PRIMARY GRANT

Primary Grantor: Legacy Foundation

CFDA:
www.CFDA.gov

Grant Title: A CASA for Every Child

Grant Term From: 9/16/16

To: 6/30/2017

Total Award Amount: 2,000.00

New Grant: ☒ Yes ☐ No

Grant No:

Amendment: ☐ Yes ☒ No

Amendment No:

GL Account No:

If new, Finance will assign a fund number.

Strategic Plan: **Other**

District: **CW**

Mandated by Law ☐ Yes ☒ No

Number of Positions Funded: 0

Asset(s) Acquired:

none

Grantor's reimbursement mileage rate:

Health or pension reimbursement:

Other reimbursement:

Briefly describe the purpose of the grant:

This grant will support a special marketing outreach to increase the supply of trained CASA volunteers who speaks for the best interest of children in dependency proceedings. We only can staff 23% of cases currently.

If this is a mandated service, cite the source. If not mandated, cite indications of local customer support for this service.
CASA is mandated, the grant is not.

PRIMARY FUNDING SOURCE

Funding Year: FY1617

Federal Funds 332.100

State Funds 336.100

County Funds 391.000

Other Funds: 2,000.00

Total Funds: 2,000.00

Has this amount been budgeted? ☐ Yes ☒ No

Method of collecting funds: ☒ Lump Sum ☐ Quarterly ☐ Draw ☐ Reimbursement

Is reversionment of unexpected funds required at the end of grant period? ☐ Yes ☒ No

(a) Total indirect (A-87) Cost Allocation:

(b) Amount of overhead allowed by grant:

County Subsidy (a) - (b) =

Is there a Secondary Grant Award associated with this Grant? ☐ Yes ☒ No

Name of Grant:

Funder:

If yes please complete an additional grant approval form.

Is County match required? ☐ Yes ☒ No

County match source:

County match dollar amount or percentage:

NOTE: Please attach this Grant Approval form to the AgendaQuick item. The AgendaQuick "Grant Approval template" must be used. Once approved by the Board of Supervisors, the department is responsible for sending a copy of the fully executed GRANT DOCUMENT (not this approval form) to the Finance Department.